Freedom Struggle
in
Jammu & Kashmir

Santosh Kaul

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Preface

The movement for the liberation in the Indian States was not an isolated political phenomenon; it constituted an inseparable part of the national struggle for Indian independence from the British rule. Governed by the operatives of Paramountcy and separated into a second estate of the British empire in India, the States were as much a part of the British colonial organisation in India as the British Indian provinces were. The Princes were the proteges of the British government; they had nothing of the nativity they claimed and exercised no powers which belonged to them. They drew their authority from the British and remained on their thrones so long the British Government was pleased to keep them in harness. Paramountcy was an instrument of British authority, which bound down the Princes as well as their subjects.

An attempt has been made in this book to present a coherent and comprehensive account of the movement for liberation of the Jammu and Kashmir State from the British Paramountcy and the princely order in India. The people in the States struggled for the unity and independence of India as well as their emancipation from the rule of the Princes. The book attempts an analysis of both the aspects of the movement in the Jammu and Kashmir State. A Muslim majority State, the Muslim movement for Pakistan evoked partial response of the people in the State, confined mainly to the Muslims in the Jammu province. A detailed account of the Muslim movement for Pakistan in the State and its various ramifications, has been included in the book to enable the reader to have a whole view of the liberation movement in the State. A separate chapter is included in the book, which is devoted to the description of the events, which followed the withdrawal of the British from India, the invasion of the State by Pakistan, and its eventual accession to India.

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Santosh Kaul

Contents

Preface V

1. Princely Order 1

2. Muslim Upsurge 16

3. Struggle for Unity 30

4. National Conference 39

5. Quest for Pakistan 72

6. Quit India 92

7. Naya Kashmir 111

8. Jinnah and Kashmir 133

9. Dyarchy 147

10. Quit Kashmir 167

11. Last Phase 188

1

Princely Order

In the earlier phases of the British expansion in India, the East India Company, concentrated upon the extension of their supremacy, over as wide an extent of Indian territory as they could, without assuming direct administrative control over them. The British policy was guided by a number of considerations both administrative and military, to retain as well as create, a number of smaller potentates and ruling chiefs, who undertook to place themselves in subordinate cooperation with the British power in India. The British Government entered into a series of treaties and engagements with these princes, which ensured them independence within their domains. The proclamation of the Indian empire after the Mutiny; divided India into two distinctly separate spheres of imperial jurisdiction: first the British India, constituted of the Indian provinces but directly under the administrative control of the East India Company and the second, the Indian States, which were outside the administrative control of the Company but were bound to it by subordinate alliance within the framework of the British paramountcy. The government and the administration of the States was vested in their rulers, subject to an overall authority of the British, varying in nature and extent from one princely State to another. The British paramountcy provided the princes, protection from external aggression and internal revolt in return to their submission to the supremacy of the British, which in effect involved the right of the paramount power to conduct their foreign relations, control their armed forces, and requisition them for their defence, decide disputed succession, adjudicate upon internal disputes, conduct minority administration and regulate their governments whenever necessary by direct intervention.

The State of Jammu and Kashmir was founded in 1846, when the Sikhs were defeated in the first Anglo-Sikh War which broke out in December 1845, and the Sikh territories of Kashmir, Jammu, Ladakh and

Baltistan were ceded to Raja Gulab Singh. Gulab Singh was a Dogra Rajput feudatory of the Sikh empire, who had been granted the principality of Jammu and its adjoining regions in perpetual fief by the Sikh monarch, Maharaja Ranjit Singh in 1822. Ranjit Singh added Jammu to his possessions in 1809. Kashmir was annexed by the Sikhs in 1819. The frontier regions of Ladakh and Baltistan were annexed to the Sikh domains by the Dogras after the death of Ranjit Singh.[1]

Maharaja Ranjit Singh died in 1939. The Sikh monarch was followed by weak and imbecile successors and the Sikh State fell into internecine strife. While the Sikhs fought among themselves, the British, who had by the time Ranjit Singh died, subjugated almost the whole of India, secretly prepared to annexe the Punjab.[2] For sometimes after the death of Ranjit Singh, the Sikhs managed to save themselves from the British onslaught but as the strife inside the Sikh state deepened, the British gradually encircled the Sikh domains.

The British mounted their first offensive against the Sikhs in December, 1845, when they laid claim to all the Sikh territory situated on the east of river Sutlej in the Punjab. The Sikhs, flustered and angry, pushed a large number of troops across the Sutlej to garrison their territories across the river. The British, who had been waiting for an opportunity to strike the Sikhs, clutched at the chance and on the pretext that the Sikhs had crossed Sutlej to occupy the British territory, declared War on the Sikh State on 12th December, 1845.

While the Sikh armies fought the British on the battle front, the Sikh leaders and officers fought among themselves. A number of powerful Sikh Sardars and ministers of the Sikh court at Lahore and the military commanders of the Sikh army were bribed by the British and won to their side. Among them were also Lal Singh and Tej Singh, the two Commanders-in-Chief of the Sikh armies and Raja Gulab Singh of Jammu who had been installed by the Sikhs, as the Prime Minister of the Sikh State after the crisis which followed the outbreak of the war between the Sikhs and the British.[3] Gulab Singh shrewed and ambitious, had secretly conveyed to the British, his readiness to help them against the Sikhs if he was helped to secure for himself the Sikh territories of Jammu, Kashmir and Ladakh in independent possession.[4] The Sikh armies fought valiantly but commanded by irresolute and treacherous commanders, they suffered defeat in almost all the engagements they had with the British troops. The final blow fell on the Sikhs at Sobraon where the Sikhs troops were finally beaten. With the defeat at Sobraon, the Sikh resistance was broken and the British troops entered Lahore on 20th February, 1846.

The British imposed humiliating terms on the Sikhs as a result of their victory in the War. Among other things, they demanded from the Sikhs, the surrender of the entire territory of Jullandhar Doab between the river Sutlej and the river Bias with complete control over the two rivers, the reduction of the Sikh army and a war indemnity of one and half crore of rupees. Defeated and broken, the Sikhs agreed to accept the terms laid down by the British but expressed their inability to pay the war indemnity and offered to cede to the British, the Sikh provinces of Jammu, Kashmir, and Hazara, with the districts of Chamba and the frontier regions of Ladakh and Baltistan.

The British refused to accept the offer, but entered a deal with the Sikhs by virtue of which it was agreed that the territories of Jammu, Kashmir, Ladakh and the small province of Hazara would be transferred to Raja Gulab Singh in independent possession who would pay rupees one crore to the British in part fulfillment of the indemnity the British imposed on the Sikhs.[5] The dubious deal was formalised by the Treaty of Lahore which was signed in Lahore on 9th of March, 1846. A separate treaty by which the Sikh territories were transferred to Gulab Singh was concluded between him and the British on 16th of March, 1846. Gulab Singh, the ruler of the new state of Jammu and Kashmir accepted the superemacy of the British and bound himself to the suzerainty of the British empire in India.[6]

Gulab Singh fulfilled the bargain according to the stipulations of the Treaty. By the end of May, he was the undisputed master of the new State of Jammu and Kashmir. The province of Hazara proved too turbulent for Gulab Singh to control and he offered to cede it to the British in return for territories in the east of Jammu. The British readily acceded to his request and took over Hazara in return to which they gave to Gulab Singh the district of Suchetgrah, a part of the district of Gurdaspur and a part of the territories from Kangra, which was contiguous to Jammu and was inhabited by the Dogra Rajputs.[7]

The Dogras

Gulab Singh's task to forge an integrated political unity of the territories he had acquired from the Sikhs, was by no means an easy task. The two major Sikh provinces of Kashmir and Jammu, vast and wide frontier of Ladakh and the district of Baltistan and Gilgit, were far different and diverse in their ethnic content, culture, language and religion. They did not share a common history. Upto the time they were annexed to the Sikh empire, they were separate and independent principalities and kingdoms. The Dogras of Jammu were of Sanskrit origin and were culturally akin to the people inhabiting the upper reaches of the Punjab. The people living in Kashmir, who were proto-Aryan and spoke Kashmiri, a Prakrit derivative of the early Vedic languages, were culturally different from the people of Jammu. They were predominantly Muslim, with small minorities, constituted of Kashmir Brahmins and Kashmir Sikhs living side by side with them. The region of Ladakh, which till it was conquered by Gulab Singh, in 1842, was a part of Tibet and was ruled by local kings who were the vassals of the Dalai Lama. Tibetian in origin, the Ladakhi people were predominantly Buddhist and were culturally and linguistically closer to the people of Central Asia. In Baltistan, though the people were a part of the early Aryan migrants who had moved into India, they had either embraced Islam or assumed the Buddhist faith.

Gulab Singh faced few problems of pacification and consolidation in Jammu and did not interfere with the traditional frames of social stratification, property relations and imperatives of political control. The province of Kashmir, however, presented many problems of administrative reconstruction and consolidation[8]. Once a powerful and prosperous land, Kashmir was ruined by invasion and foreign domination. Almost the entire agricultural land of the province was grabbed by landlords and industry monopolised by private and official agencies. The provincial governors of the Afghan and later the Sikhs, imposed heavy imposts and duties on agricultural produce, industry and trade and a huge and cumbersome structure of village officials, revenue collectors, tax collectors, spies and sepoys had grown upto feed on the population of the province. Gulab Singh resumed most of the land grants, wrested away the monopolies in trade and commerce and reimposed state control over the shawl and the silk industries in which indentured labour was employed[9].

Gulab Singh followed two broad lines of policy with regard to Ladakh and Baltistan. He did not interfere with the traditional social and economic institutions in Ladakh but appointed a local governor to administer the country on his behalf. He, however, seized the highly lucrative monopoly of trade in shawl wool, which was held by the local kings and the rulers of Ladakh. Having seized the monopoly in the import of Shawl-wool from Tibet, he in effect, became the main source of supply of shawl-wool to the vast organisation of shawl-manufacturers in Kashmir. In Baltistan and Gilgit also he did not interfere with the traditional patterns of social and economic relationships. Towards the west of Baltistan, was situated Gilgit and to the West and North of Gilgit sprawled around a number of tribal Khannates which formed the gateway to Central Asia. Gulab Singh aimed to extend his domains over these Khannates. He was a brave man and he could have accomplished it, but hardly had he established himself in power, when the Second Anglo-Sikh War broke out, and the Punjab was finally annexed by the British. Their guns were now turned on him and he died in 1857, with his dream of conquering the north unfulfilled.

British Dominance

Up to the outbreak of the Second Anglo-Sikh War, the British left Gulab Singh to himself. However, after the Sikhs were eventually defeated in the Second Anglo-Sikh War and the Treaty of Bhairowal was imposed upon them by virtue of which the Punjab was annexed by the British, the British lost no time to make their presence felt by the Dogras. On the pretext of having received complaints of misgovernment in the State, and 'the oppression of the Muslim subjects of the Maharaja', the Government of India deputed Henry Lawrence to conduct an inquiry into the working of the State administration. The allegations were found false but Lawrence warned Gulab Singh that the Government of India would not permit "tyranny in Cashmir" and in case he did not reorganise the administration of the State "some other arrangements would be made for the protection of the hill people".[10] Later the Governor General also wrote to Gulab Singh that the British Government could not be blind to `a Ruler's injustice towards his people and if the evil of which the British Government may have just cause to complain was not corrected, a system of direct interference must be resorted to"[11]. The communication destroyed, once and for all, the myth of Dogra independence and reduced the Treaty of Amritsar to a subsidiary alliance.

In 1852, the British put into operation the subtlest of their political instruments and foisted "a Civil Officer on Special Duty", on the Maharaja, " to look after the European visitors", who came to Kashmir in large numbers and whose conduct in the State required supervision. Gulab Singh offered stiff resistence to the British proposals but he was unceremoneously pushed into the position the other rulers of Indian native States were. Gulab Singh encircled by the British, himself overtaken by dropsy and hardly having any resources to resist the British onslaught, went down under their pressure. In 1857, he died leaving his son Ranbir Singh to occupy the throne.

Ranbir Singh was no match to his father. He took a long time to realise the impact of the political upheaval of 1857. With the resumption of the Company's possessions by the British Crown, the frontiers of the British empire reached the northern fringes of the Jammu and Kashmir State. Immediately the entire Central Asia was brought into the focus of the British foreign policy. In 1864, the trade monopoly, the Dogra ruler held in trade over the Ladakh frontier, was wrested away from him.[12]

After 1870, the British began to extend their influence into Baltistan, particularly over Gilgit and the tribal principalities of Central Asia, which spread in its vicinity. More important of these principalities were Chitral, Darel, Tangir, Hunza, Nagar, Chilas, Punial and Yasin. Once the British assumed control over Gilgit and these principalities, they could keep a close watch on Afghanistan, Central Asia and Russia.[13] In 1876, Lord Lytton secured the establishment of a political Agency at Gilgit on a promise to support and help Ranbir Singh, to extend his domains into the tribal principalities around Gilgit[14]."

British Intervention

Maharaja Ranbir Singh died in September 1884, and was succeeded by his eldest son Pratap Singh. The Government of India, took advantage of the opportunity and upgraded the "Officer on Special Duty" in the State, to the position of a "British Political Resident". On 25th September, the day, Pratap Singh was formally installed the Ruler of the State, the British Residence also assumed his new office.

The new Ruler was, however, never allowed to settle down. Soon after Pratap Singh assumed the throne, the British piled up a number of allegations on him. These allegations included misgovernment, continuance of state monopolies, excessive taxation, mismanagement of revenues; forced labour and the oppression of the Muslim subjects of the State. The Government of India warned Pratap Singh, that oppression and misgovernment in the State would not be tolerated and asked him to undertake certain specific measures which included abolition of the State monopolies; reorganisation of the administration; rationalisation of taxes and abolition of levies, construction of the roads and the removal of restrictions on emigration.[15]

The political and economic conditions in the other Indian States were in no way better than they were in Jammu and Kashmir. In fact, in some of the Indian States, institution of slavery, hypothication of women and children, forced labour and bondage were still rampant.[16] The Indian States were the backyards of British imperialism in India and Princes were the loyal keepers of the huge and vast estates which had been bestowed upon them by the British. However, the British had wider and more vital interests to feed in so far as Jammu and Kashmir State was concerned. The Jammu and Kashmir State offered an ideal place to establish a spring-board for British expansion into Chinese Turkistan, Mongolia, Tibet and Western China. The paramount desire, the British possibly had, was to open Central Asia and Kashmir to the exploitation of the vast mineral wealth, the British knew the entire region abounded with. Once the British had established their foothold in Kashmir, they could convert the region of Ladakh, the province of Kashmir and the plains of Jammu into the busiest of their trade centres in Central Asia.[17] Pratap Singh, in his own way, assured the British that he would reorganise the administration of his State and also introduce reforms in the prevailing revenue and tax structures. He also assured the British that he would adopt measures for the improvement of the revenues of the State. But he avoided to commit himself on the issue of the abolition of the monopolies, the relaxation of restrictions on emigration and the construction of British cantonments in the State. He had, in fact, been secretly approached by a number of British agents and sounded about the British desire to station troops in the State. Early in 1889, the British set aside Maharaja Pratap Singh on charges of having written treasonable letter to the Tsar of Russia, the deposed Sikh Monarch, Duleep Singh, and some of his political favourities in the State and outside.[18] The Government of the State was entrusted to a Council of Regency which was to be appointed by the Government of India. The Council was constituted of the two younger brothers of the Ruler, Raja Amar Singh and Raja Ram Singh, and two more members who were to be selected by the Government of India. The Political Resident was vested with the power to supervise, regulate and control the function and the business of the Council. Except for the Maharaja's Places and his household, the Resident virtually assumed the throne.

After having assumed the government of the State, the British immediately set out to reorganise the administrative structure of the State. The usual patterns of Departmental organisation, the British had devised for the British India, was introduced in the government of the State, the heirarchical processes of the devolution of authority, which the Dogra

Rulers had never laid down were redefined, as well as regularised. Most of the departments were placed under the supervision of British officers. A number of the Indian officers were, also inducted in the Council of Regency and put charge of some of the administrative departments.[19]

Having secured control over the government of the State the British undertook to reorganise the Dogra army. Dogras had a large army drawn from the Dogra Rajputs of Jammu. Among the Dogra troops were also a few Muslim legions drawn from Poonch and Mirpur. In the campaigns along the Gilgit frontier, the Dogra troops had played an important role in the pacification of the tribal people. Most of the Dogra troops were demobilised and the remaining battalions were put under the command of the English Officers. British garrisons were stationed in the State and work was started to build army cantonments and military highways connecting the various districts in the State.[20]

The British were more relentless with the reorganisation of the economic structure of the State. They had repeatedly protested against the trade monopolies the State possessed, and the rate and process of taxation which the local industry was subject to and annulled most of the taxes and levies on trade and commerce. Though they did not formally remove restrictions on emigration, they secretly offered concessions to a number of English Companies to establish enterprises in mining and industry. These efforts, however, did not succeed and except for establishing themselves in shawl and carpet industries, the British entrepreneurs could not achieve much.

An effort of great significance which the British made, was to reorganise the system of land tenures in the State and the introduction of a Permanent Revenue Settlement in land. Almost, all over India, British had introduced changes in the land tenures and revenue settlements for two main reasons. In the first place, they had sought to secure regular revenue returns from land and in the second place attempted to consolidate the landed middle class which they realised could form the only stable social base for their rule in India. Except for minor variations the British had followed the same pattern of agrarian reform all over India.[21]

Settlement operations had actually been started by Pratap Singh on the British advice in 1887. The British pushed the settlement through after they had assumed the control of the Government. The old system of renting out land annually to bidders and contractors was abolished. The people, in whose possession the land was found at the time of the settlement and who undertook to pay the revenues settled, were entered into revenue records as land holders with permanent non-alienable occupancy rights. The assessment was fixed at half of the gross produce, a part of which was to be paid in cash and a part in kind. The fallow and waste was entered in the revenue records as Khalsa, and the landholders were reserved prior rights to acquire the fallow and bring it under cultivation.[22] Such cultivated wastes were later entered in the revenue records of the State as the Chakhs, and the people who acquired the wastes were entered in the records as the Chakdars. The settlement did not interfere with land grants of Jagirs, Muafis and Mukararies, which a number of land grant holders enjoyed and entered them in the revenue records in the name of the land grantees.

The reorganisation of the revenue system brought about a subtle revolution in the property relations in the State. The Permanent Settlement gradually reorganised and consolidated the feudal aristocracy, which had disintegrated under the severities of the Sikh rule and the early Dogra regimes. The Permanent Settlement introduced in the agrarian system of the State, a new class of landed aristocrats and land-holders. This change had a deep impact on the economic organisation of the State. The Permanent Settlement consolidated the land owners and in the wake of the decline of the Shawl industry and loss of political patronage by traders and commercial magnets, the landed aristocracy assumed a new social role and considerable influence on the administration of the State.[23]

The assumption of the State Government by the British brought about another and in fact, by far the most important change in the State which ultimately upturned the existing social roles in the State. The old system of education in which instruction was imparted in the indigenous institutions called Pathshalas and Muktabs, were rapidly replaced by schools where English education was taught.[24] The British Missionaries had established Mission Hospitals and Mission Schools in Jammu and Kashmir a decade earlier. The English Missionaries spread as rapid and as far as the English imperialism did. The State Government introduced English education in the schools run by the State in 1886.

The Restoration

The deposition of Pratap Singh and direct intervention in the affairs of the State aroused severe resentment from official as well as non-official sources in India and also England. The Rulers of the other Indian States were frightened at the flagrant intervention in Kashmir and expressed concern at what had been done to Pratap Singh.[25] Inside the State also, the

British action created consternation particularly among the Hindus in Jammu Kashmir, who feared that the British action was a prelude to the eventual overthrow the Hindu ruler of the State. Pratap Singh on his part, wrote long petitions to the Governor General of India, the Foreign Secretary and other officials in the British Government, protesting against the action taken against him.

The Government of India did not yield and the Resident governed the State in the name of the Council of Regency till 1905, when Lord Curzon conceded the request of the Maharaja to rehabilitate him partially. The Council of Regency was abolished and the State administration was vested in a Council of Ministers which the Maharaja was empowered to appoint with the approval of the Government of India. Pratap Singh undertook not to take any "step of importance" without the consultation and be always bound by the advice the Resident gave to him. Though Pratap Singh was formally restored the position he enjoyed before his deposition in 1889, the essential control over the State Government continued to be exercised by the Resident and the Government of India. Thereafter a long and protracted correspondence continued between Pratap Singh and the Government of India in which he incessantly appealed for the restoration of his powers. The Government of India offered minor concessions to Pratap Singh from time to time but did not restore him any substantial authority over the administration of the State.

In September, 1920, Pratap Singh made an impassioned appeal to the Governor General of India imploring him to restore him the "hereditary powers" which other Rulers in the Indian States enjoyed. The appeal made by Pratap Singh was accepted by the Governor General of India subject to the conditions that Pratap Singh would abide by the advice of the British Resident in the State. Pratap Singh accepted the conditions and he was reinstated to his position thirty years after he had been removed.

National Awakening

The British intervention integrated Jammu and Kashmir State in the Indian princely order. It also ended the exclusiveness and isolation which the different regions of the State had remained in for centuries. The ruthless urgency with which the British upturned the traditional economic and social structures in the State, reframed the political imperatives and institutions the Dogras had fostered and reformed the existing educational system, led to the emergence and growth of economic and social relationships, political forces and psychological strains, which had never been experienced in the State before. A stable feudal aristocracy and a vigorous commercial middle class quickly replaced the protected tenants, jurisdictional landlords, bidders and contractors, the long heirarchies of village headmen, and the industrial and commercial interests, which had thrived on the patronage of the State. The new middle class more affluent, less succeptible to restrictions from the State and enjoying wider opportunities of expansion, eventually developed a more liberal outlook about society and government.

The more important forces which the British intervention liberated were ideological in nature. The spread of English education helped in the assimilation of the liberalist and reformist ideals among the people of the State. The younger intellectuals, who came out of the English Schools, formed the main base of this ideological changes. Many of the educated youngmen sought for themselves an effective social and political role. Many of the young men entered State services and cast in a new context assumed new social status.

However, the educated intellectuals who could not enter the State services exercised greater influence in moulding the public mind in the State. Actually, the administrative organisation of the State offered a limited margin of employment to the educated youngmen. The state administration was infested with the British officers or the officers of the Indian Civil Services. The agricultural economy of the State offered few openings for the educated youngmen. Far few opportunities of employment were offered by the indigenous trading and industry. "Barring the townships of Jammu, where trade and commerce flourished due to the proximity of the commercial centres in the Punjab, the rest of the province was as poor as the Kashmir province was, where the economic activity centred round small trade in meager and more often false surpluses in agricultural produce."[26]

The educated youngmen evidently developed a "reactionary interest" in the employments in the State Services. "The British officials, who considered the Government in the State as their own preserve and managed to assume positions and roles for their personal benefit or utilised the distribution of employments as an effective instrument or patronage, paid little attention to the difficulties the educated youth faced". A deep sense of resentment was inevitably generated among the educated youngmen against both the British officials as well as those officials in the State Administration who belonged to the Indian Civil Service. It was here that the first seeds of mass distrust were sown against the Dogras, the British and their retainers in the State. The educated youngmen initiated a number of movements, which ostensibly were aimed to achieve social and educational objectives, but which were actually motivated by a wide range of political ends. A number of social and educational organisations were established in the State, more important among them being the Mahajan Sabha, Dogra Sadar Sabha and the Youngmens Muslim Association. The Dogra Sadar Sabha was founded in 1905.[27] It openly voiced its disapproval of the domination of the State Government by the British officials or officers of the Indian Civil Service.

In 1912, the Dogra Sadar Sabha started a vigorous compaign for the reservation of all administrative appointments for the residents of the State.[28] This movement later came to be known as the "State-Subject Movement." The Kashmiri Brahmins, who had taken to the English education quicker than any other community in the State, and who had, therefore, a larger stake in the employments offered by the State, spearheaded the State-Subject movement. In 1916, the State Government appointed a Committee of Enquiry into the 'State Subject' question. The Muslims opposed the 'State Subject Movement' and deposed against the reservation of administrative employments for the 'State-Subjects.[29] They proposed, instead, that Muslims from the Punjab and the other parts of India be appointed to State Services in place of the Hindus from the State or outside, who, the Muslims complained, had dominated the State Government and rendered it inimical to the Muslim interests. Pratap Singh had his own reasons to support the 'State Subject Movement' and he secretly assured his support to the sponsors of the movement.[30] After having been reinstated in 1920, Pratap Singh instructed his Government to lay down rules pertaining to the purchase of land and immovable property in the State.

The intellectual ferment, generated by the spread of education, the various social and cultural movements and the "State-Subject Movement' proved a fertile ground for the nurture of many political influences which crept into the State, from the other parts of India, mainly the Punjab. The Arya Samaj movement rapidly spread in Jammu and Srinagar and a large number of educated youngmen joined its fold.[31] Once again Pratap Singh secretly offered help and encouragement to the Arya Samaj propagaters in the State. Many of the Arya Samajists were Congress activists and some of them were connected with the revolutionary movements in the Punjab.[32] A number of secret cells and revolutionary committees were established in the townships of Jammu and Srinagar, which aimed to propagate and work for the deliverance of India from the British yoke.[33] A large number of youngmen from Jammu and Srinagar joined the Congress movement in the Punjab. Prominent among them were, Sardar Buddh Singh, Girdhari Lal Anand, lala Hansraj, Lala Mulk Raj Saraf and Kashyap Bandhu, all of whom played a decisive role in the freedom movement in the State later.[34]

Khilafat Movement

The Khilafat movement created deep resentment among the people of the State. Disturbances and demonstrations broke out all over. The Muslim reaction in the State was obviously aroused by the impending dismemberment of Turkey and the deposition of the Khilafat, which the Muslims believed was aimed to destroy the centre from where they derived their spiritual and temporal leadership.[35] The Hindus, among whom the Kashmiri Brahmins played a more vigorous role, responded to the call of the Congress to support the Khilafat agitation. In the Kashmir province another issue got mixed up with the Khilafat agitation and helped in the intensification of the movement in the province. In the Kashmir province prices had been rising for quite some time and as the winter of 1920, approached, most of the essential commodities disappeared from the markets. Khilafat meetings continued to be held in Srinagar, almost daily, in which thousands of Muslims and Hindus participated and in which speeches were delivered exhorting "Hindu-Muslim" unity and boycott the purchase of goods at high prices. Sardar Budh Singh, Pandit Jai Lal Kilam, Moulvi Yousuf Shah, who many years after, led the freedom movement in the State, organised and led the Khilafat agitation in Kashmir.[36] In the Khilafat meetings organised in Jammu, great emphasis was placed on the Khilafat issue and the non-cooperation call given by the Congress. For obvious reasons, Khilafat leaders in the State could not adopt the Congress directives of boycott and non-cooperation. The State Government, did not interfere with the outburst of protests and anger in support of the Khilafat agitation and adopted measures which were less than half-hearted to contain the agitation even though the British Resident and the British Officers in the Government insisted upon punitive measures against the agitators. The Khilafat movement continued unabated over the winter. After the Congress withdrew the movement, the movement in the State immediately collapsed.

The Indian National Congress adopted the resolution for the independence of India in December 1929. In March, 1930, Gandhi launched the historic salt Satyagraha. On 4 May, Gandhi was put under arrest. Thousands of Congressmen and supporters were arrested after him.

The arrest of Gandhi evoked severe reaction in Jammu as well as Srinagar and widespread demonstrations broke out in the two towns. On 6 May, people struck work in Srinagar and a procession, in protest against the arrest of the Congress leaders, was taken out in the town. At a number of places foreign clothes were burnt in bonfires. The students of the local college boycotted their classes and joined in protest meetings. In Jammu, thousands of students joined the protest meetings held in the town. All businessmen establishments and markets were closed down.

The state Government, moved in quickly and imposed restrictions on the protest meetings and demonstrations. Police raided college hostels in Jammu as well as in Srinagar. The police did not recover any thing from the inmates except some cartridges, but a number of them were immediately expelled from the colleges and deported from the state.

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2

Muslim Upsurge

The Muslims in the State, who formed the bulk of the population in both the provinces of Kashmir and Jammu were bitter in their attitude towards the Dogras as well as the Hindus in the State. Conscious of their numerical majority, they nursed a feeling, right after the foundation of the State, that they had been subjected to the rule of Hindu Rajputs. They looked upon the Dogras as the userpers.[1] The occasional British outbursts against the Dogras and allegations, that they maltreated their Muslim subjects, had further deepened the Muslim distrust.[2]

As a matter of fact, the Dogras were as oppressive as the rulers in the other Indian States and followed almost identical operatives to deal with their subjects. Hindus in the State, among whom were the Harijans and the Meghs, the Brahmins and even the Rajputs living in the interior of the province of Jammu, as also the bulk of Kashmiri Brahmins and Sikhs, were also steeped into poverty and backwardness. Muslims, however, forming two third of the total population of the State, actually bore the brunt of the Dogra absolutism.[3]

The Muslims had another important reasons to be estranged with the Dogras. After the decline of the old middle class of Khoja tradesmen and shawl manufuacturers in Kashmir, a new urban based class of landowners and business magnates had grown after the British intervention in the State. Within the landed aristocracy the Hindu Rajputs held the largest land grants and chaks, the Muslims being placed after them. The trade, business and indigenous banking had slipped into the hands of Hindu Sahukars and tradesmen mostly from the Punjab and the Jammu towns. The Muslim gentry, both in Jammu and Kashmir reacted sharply against the loss of their privilelges and their position and charged the Dogras of having established Hindu hegemony over the Muslims in the State.

The spread of English education was another factor which deepened the Muslim distrust against the Dogra rule and the Hindus. The spread of English education among the Kashmiri Brahmins was very rapid. Considerably large number of Hindus in the townships of the Jammu province also took to English education. However, the Muslims in the State, did not evince much enthusiasm for the English education for quite a long time. Among the Hindus of the Jammu province also, vast masses living in the interior province and the people belonging to the lower castes and inferior social strata did not find any opportunities of getting English education. However, towards the close of the last century the Muslims began to develop interest in the English education. Within the first quarter of the present century many Muslim youngmen came out of the schools and colleges in the State. Many of them were quickly absorbed in the State services. Many of them, however, could not get employment in the Government, partly because of the restricted opportunities of employment the State provided and partly because of the severe competition they faced from their Hindu compatriots, who were large in number and who were better qualified than the Muslim youngmen. Obviously a large share of the employments in the State services, was captured by the Hindus, leaving the Muslim educated youngmen more angry and frustrated.[4] Like the Hindu educated youngmen, the Muslim youngmen also acquired a reactionary interest, in the State employments. The Hindu educated youngmen had initiated a movement for the reservation of employments for the State Subjects. The Muslim youngmen demanded the reservation of the State employment for the Muslims.[5]

The educated Muslim youngmen found wider acceptability among the Muslims in the dilapidated Muslim gentry in Srinagar and the other townships of the Kashmir province. They were offered widespread support from most of religious leaders in the province who also had suffered severely as a result of the disintegration of the Muslim middle class in the province. The educated Muslim youngmen, found it easier to assume the leadership of the community and give expression and direction to the deep and widespread discontent among the Muslims.[6]

In 1924, Earl Reading came to Kashmir on the invitation of Maharaja Pratap Singh. The Muslim delegation had a secret meeting with the Viceroy and presented to him a memorial of their grievances and demands[7].The Viceroy, unceremoniously sent the memeorial to Pratap Singh for his consideration. Pratap Singh, furious and flustered, confiscated the pensions and land grants which most of the signatories to the memorial received from the State. The signatories to the memorial were banished from Kashmir.[8]

Pratap Singh died in 1925, and was succeeded by his nephew Maharaja Hari Singh. Hari Singh, on the assumption of the throne, announced a number of concessions for the Muslims, but the concessions proved of partial advantage to the Muslims and mostly benefitted the landowners among them.[9] The prevailing discontent among the rest of the Muslim population remained unremedied.

In 1930, while Hari Singh had gone to Europe, the educated Muslim youngmen presented a memorial to the State Government demanding reservation of State services for the Muslims according to their population, relaxation of qualifications in favour of Muslim aspirants for State services in view of their general educational and economic backwardness, the grant of scholarships to Muslim students for educations, appointment of a separate Muslim Directorate in the State administration to supervise the education of Muslim students in the State and the appointment of Muslim teachers in the Government Schools to protect the educational interests of the Muslim children. The Muslim Youngmen waited upon the Council of Ministers to explain their grievances and later carried on protracted correspondence with the members of the Council. The Muslim youngmen were generally right in their demands for adequate representation in the State service and an adequate share in scholarships awarded by the State.[10] But the State Government could not disband the Hindus already in the State services and install the Muslims in their place, nor could the State Government reserve employments for the Muslims in proportion to their population. The demands made by the Muslim youngmen were obviously turned down.[11]

In March, 1931 a number of incidents, which allegedly involved interference with religious practices of the Muslims by the State police, and the Hindus and the desecration of certain Muslim scriptures, occured in the Jammu province.[12] The news of these incidents spread like wild fire all over the State and threw a wave of resentment among Muslims against the Government and the Hindus.

The incidents evoked widespread response from a number of Muslim organisations in the Punjab. A number of Kashmir Committees sprang up all over India to help the Muslims resist oppression in the State and a Central Kashmir Committee was constituted at Lahore to coordinate the work of the different Kashmir Committees and Muslim organisations. A number of Muslim journals, vernacular as well as English, began to be published in the Punjab. The State Government quickly moved into the incidents. To assuage the feelings of the Muslims, the Government appointed a Commission to enquire into the causes of the incidents and invited a delegation of Muslims to wait upon the Prime Minister of the State and present their grievances to him. A Muslim delegation of seven members among whom was Sheikh Mohammad Abdullah, a teacher in a Government school, was constituted in Srinagar to present the Muslim grievances to the Government.

In June 1931, a resident of the Frontier Province, one Abdul Qadeer, who had come to Srinagar in the service of an Englishman was arrested and put on trial on charges of having delivered seditious speeches in Srinagar Town. On 13th July, mobs of Muslims clashed with the Dogra troops in the premises of Srinagar Central Jail, where trial proceedings against Abdul Qadeer were being conducted. The State troops opened fire as a result of which twenty one demonstrators were killed. As the news of the firing in the jail spread, communal riots broke out in Srinagar. Communal disturbances spread to the other parts of province and the Government imposed Martial Law in the riot affected areas to bring the situation under control.[13]

The Muslim agitation was suppressed with a heavy hand and peace was restored in the province. However, the imposed calm was shortlived and the Muslim agitation flared up once again in September, and engulfed the province of Jammu also[14]. Troops were once again called out to quell the disturbances.[15].

Maharaja Hari Singh commissioned Sir Barjor Dalal the Chief Justice of the State High Court, to conduct an enquiry the causes which had led to the firing in the Srinagar Jail. The Muslims boycotted the Commission of Enquiry and demanded the appointment of an Englishman or a Muslim nominated by the Government of India to conduct the enquiry in the causes of the disturbances which had occurred in the State.

The Government of India lost no time to instruct the British Resident in the State to convey to the Ruler that the Government viewed with concern the developments in the State. The Government of India asked the

Resident to advise the Ruler to seek the assistance of the Government of India in the appointment of a Commission of Enquiry or at best make a request for the Services of a Muslim High Court Judge from India, to join the Committee of Enquiry appointed already by him. The Resident conveyed to Hari Singh the instructions of the Government of India.

Hari Singh sent a long despatch to the Viceroy in which he explained the genesis of the entire crisis and assured him that the situation in the State was well under control. Hari Singh politely refused to accept the suggestions the Government of India made.

Meanwhile Maharaja Hari Singh dismissed his Chief Minister, G.E.C. Wakefield. Many reports had been received by the Ruler about the complicity of the Chief Minister in the Muslim agitation. Raja Hari Krishen Koul, a Kashmiri Brahmin, domiciled outside the state, was appointed the Chief Minister of the State. Shortly after Hari Krishen Koul assumed office he opened negotiations with the Muslim leaders. An agreement was reached by the Chief Minister with Muslim leaders which stipulated the suspension of the agitation and the release of all political detenues and prisoners. The agreement also stipulated that the Muslim greivances would be considered after the enquiry into the disturbances, which had broken out in July, had been completed.

A section of the Muslim leadership disapproved of the agreement and termed it as a betrayal of the Muslim cause. On September 21, disturbances broke out again in the Kashmir province. Troops were once again called out to put down the disturbances. In Sopore, Baramulla, Shopian, and Anantnag townships of the Kashmir province, the troops had to open fire on angry Muslim demonstrators and number of them were killed.

On 28th September, a week after the Muslim agitation had restarted, the Government of India delivered a peremptory warning to the Ruler asking him to take immediate steps to redress the grievances of the Muslims in the State, and institute an inquiry headed by a British Officer into the causes of the disturbances in the State. The Government of India also asked the Ruler of the State to appoint a British Officer, nominated by the Government of Indian, as his Prime Minister.[16]

Before Hari Singh could take a decision on the suggestions made by the Government of India, communal riots broke out in Mirpur and Poonch districts of the Jammu province. Troops were immediately despatched to the riot affected areas.[17] While the disturbances were still going on in Mirpur and Poonch thousands of Ahrar volunteers entered the State from the Punjab in support of the Muslims in the State. Ahrars were a splinter of the Khilafat movement. The Ahrar incursions led to the outbreak of widespread communal riots all over the Jammu province.

The Muslims of the districts of Poonch and Mirpur, rose in open rebellion against the Dogras.[18]

Maharaja Hari Singh, disillusioned and helpless, accepted the suggestions, the Government of India had made and requested them for the despatch of British troops to the riot affected areas to restore law and order there[19]. In Kashmir province the State Government withdrew the prohibitary laws and regulations, announced a general amnesty for all people arrested and detained and recalled the troops, which were immediately sent to Jammu for deployment there[20].

On 3rd Novemeber, 1931 the British troops were despatched to Jammu and a British Officer was appointed as the Special Commissioner for Mirpur, Poonch and Rajouri. On 7th November, the Government of India prohibited the entry of the Ahrars into the State. The Ahrar leaders, who had organised Ahrar volunteers in the Punjab were arrested and imprisioned.

On 12th November, Maharaja Hari Singh announced the appointment of a Commission of Enquiry into the grievances of the Muslims in the State. Bertrand J.Glancy, a British Officer of the Indian Civil Service, who had earlier served in the State Government in different capacities was appointed the President of the commission. The same day, Hari Singh, announced the appointment of a Constitutional Reforms Conference to examine the feasibility of political reforms in the State. Bertrand J.Glancy was appointed the Chairman of the Conference[21]. A British Officer of the Indian Civil Service, Colonel E.J.D. Colvin, was appointed the Chief Minister of the State.

The Enquiry Committee headed by Bertrand J. Glancy was constituted of four non-official members. Two of the members represented the Muslims of the two provinces of Kashmir and Jammu and other two represented the Hindus of Jammu and the Kashmiri Brahmins[22]. The Hindus of Jammu recalled their representative shortly after the committee commenced its deliberations in protest against the insistence of the Muslim members of the committee to include the Hindu law of inheritence in its deliberations. Bertrand Glancy dominated the deliberations of the committee and actually prepared the report of the committee himself. He avoided to make any referencne to the abject poverty of the people in the State, or the crushing burdens which the masses of Muslim peasantry bore or the backwardness of the social and economic organisations of the State. Instead, the British Commissioner sought to devise ways and means for the distribution of State patronage among the different communities. In doing so, he confirmed the communal contest which had ravaged the State. The British Commissioner did not find the conditions in the State worse than those prevailing in any other Princely State of India or in any of the British Indian provinces. He struck a balance between the divergent demands made on him and presented a list of recommendations which were neither motivated by any genuine desire to secure political emancipation of the people in the State nor aimed to achieve their economic reconstruction. The main burden that Glancy bore for the committee was, to confirm the present imbalances and sharpen the conflict between the different communities and the regional denominations in the State[23].

Bertrand Glancy accepted that the Muslims suffered discrimination in the State, but instead of making recommendiations which would ameliorate their lot, he suggested measures which had hardly any substantial content and did not even provide marginal benefits to the Muslim masses. The Committee recommended the abolition of Malikana, a tax on the proprietorship of pastures in villages, extension of rights to bring under cultivation waste and fallow land, and the right to cut Walnut, Mulbery and Chinar trees. In regard to the State employment alone, Glancy openly advocated reservation of employment for the Muslims in the State over and above the share they were able to secure in open competition[24].

Bread Agitation

The Glancy Commission Report, evoked sharp reaction from the Hindus in the State, Hindus viewed the recommendations of the Glancy Commission as an attempt to strangulate them politically and economically. In Kashmir the Hindus launched a virulent agitation protesting against the recommendations of the Commission and demanded their rejection by the the State. The agitation came to be known as the 'Bread Agitation' and was led by the Kashmir Pandit Yuvak Sabha, which was founded in 1928, in Srinagar[25]

Hindus did not confine themselves to the contest for services or to the distribution of the available State patronage. During the Bread Agitation they presented a number of memorials to the Ruler which envisaged:

1. drastic reforms in the economic organisation of the State;
2. industrial development in the State to provide employment to the people in the State;
3. extension of the opportunities of employment for the educated youngmen;
4. state-aid and encouragement to youngmen to establish industries in the State;
5. appointment to the Government Services and the grant of scholarships for education, on the basis of merit, educational qualifications and technical capabilities;
6. rejection of any demand for reservation of employments in the State or the distribution of scholarships for education and grant of any concessions by the State in trade, commerce, statefloated contracts; and
7. right to bring fallow and waste under cultivation and the grant of aid to improve and diversify the agricultural production.[26]

The Bread Agitation aroused widespread response from the Hindus all over the State. The State Government obviously was not in a position to introduce reforms in the economic organisation of the State, the Hindus suggested. The one effective achievement of the agitation was to ward off the reservation of employments on communal basis. However, the Governrment dealt with the agitation with extreme severity and suppressed it. Most of the Kashmiri Pandit leaders were arrested and imprisoned.[27].

Muslim Conference

In October, 1932, the Muslim leadership convened a general conference of the Muslims from all over the State in Srinagar. The Conference was sponsored by the Muslim leaders and intellectuals who had led the Muslim agitation against the Dogras and among whom were Sheikh Mohammad Abdullah, Mirwaiz Youssouf Shah, Bakhshi Ghulam Mohammad, Mufti Jalal-ud-Din, Mirwaiz Hamadani from Kashmir, and Chowdhry Ghulam Abbas Khan, Allah Rakha Sagar and Chowdhary Gauhar Rehman from Jammu and Mufti Ziauddin from Poonch. The convention was presided over by Sheikh Mohammad Abdullah, who had led the Muslim youngmen during the stormy days of the Muslim agitation in July, 1931. On October 16, 1932, the Conference resolved to organise a Muslim organisation in the State, which would carry on the struggle for emancipation of the Muslims in the State. The organisation was named "The All Jammu and Kashmir Muslim Conference". Sheikh Mohammad Abdullah was elected the President of the Conference.[28]

The Conference laid down the objectives which the Muslim Conference was enjoined to struggle for. These objectives included :

1. unity of the Muslims in the State;
2. the realisation of the Civil and political rights for the Muslims in the State;
3. the economic and cultural progress of the Muslims in the State;
4. the liberation of the Muslims from the social, religious and political disabilities which they suffered[29].

The Conference adopted a number of resolutions which envisaged:

1. the amendment in the Hindu law of inheritance and the removal of disabilities on conversion of Hindus to other faiths;
2. the representation for various communities in the services of the State in proportion to their population;
3. the reduction of land revenue;
4. the recruitment of Muslims in the State army;
5. the recognition of right to freedom of speech and expression; and
6. the release of all political prisoners.[30]

Constitutional Reforms

The constitutional Reforms Conference constituted by the Ruler of the State in November 1931 was composed of twelve members. Six members of the Committee represented the Muslims in the State. Like the Grievances Enquiry Commission, Bertrand Glancy dominated the deliberations of the Constitutional Reforms Conference also.[31] There was hardly any possibility of agreement in the divided and diverse opinions, which the Conference represented.[32] The Muslims insisted upon the devolution of authority and the institution of representative political institutions in the State. The Hindus and the Sikhs, fearful of being overrun by the Muslims, who were in a formidable majority in the State, insisted upon the constitutional safeguards for minority protection before any measure of constitutional reform was undertaken. Bertrand Glancy obviously, could not reconcile those conflicting views and devise a basis for constructive constitutional reforms in the State. In fact, Glancy himself drafted the report of the Conference. An Urdu translation of the report was read to the members of the Conference for their approval. Almost all the members of the Conference refused to ratify the report. Glancy signed the report on his own and submitted it to the Ruler for his consideration.[33]

In his report Glancy proposed the institution of a Legislative Assembly for the State. Glancy recommended that the proposed Assembly be vested with the powers to legislate on all subjects except those which were reserved for the Ruler and which would include foreign relations and the defences of the State. The British Commissioner, also proposed that the Assembly be vested with effective control over the finances of the State and no taxes be imposed without its sanction nor any fresh monopolies be created in trade, commerce and industry without reference to it.[34]

Glancy proposed that the Assembly be constituted of sixty members of whom thirty three would be elected, twenty two would be nominated and five would be appointed from among the members of the State Council of Ministers. The seats in the Assembly, according to the recommendations of the British Commissioner, would be distributed on the basis of separate electorates and divided in the manner that the Muslims would be given twenty seats, the Hindus would be given eleven seats and the Sikhs and the Buddhists would be given one seat each.

Shortly after the recommendations made by Bertrand Glancy, had been submitted to Maharaja Hari Singh, the Ruler instituted another Committee known as the 'Franchise Committee' to report on the delimitation of separate electorates, the extension of franchise and composition of the Assembly proposed to be instituted by Bertrand Glancy. Barjor Dalal, the Chief Justice of the State, was appointed the President of the Franchise Committee. The Minister of Finance in the State, L.W. Jardine, the Revenue Minister, Thakur Kartar Singh and the Judge of the State High Court, Sheikh Abdul Qayoom, were appointed members of the Committee. Jardine was appointed the Vice-President of the Committee and also the Franchise Officer.

The Franchise Committee submitted its report in December, 1933. The Committee proposed the institution of a legislative Assembly in the State composed of seventy five members. Thirty three of the members of the Assembly were to be elected and thirty were to be nominated. The Committee further recommended that the Ruler be empowered to nominate six members to the Assembly from his Council of Ministers and six other members on the basis of their expert knowledge in the various fields of legislation. The Committee recommended that the Muslims of the State be represented by twenty one elected members in the Assembly, the Hindus by ten elected members and the Sikhs by two elected members. The Committee recommended that the Muslims be given a minimum weightage of thirty members in the Assembly by nominating eleven Muslim members to the Assembly. The Hindus were recommended to be given a minimum weightage of twenty five members by nominating fifteen Hindu members to the Assembly. The Committee recommended the introduction of a qualified franchise and the extension of right to franchise to specific classes of State Subjects only.[36]

On the basis of the recommendations made by Bertrand Glancy and the report of the Franchise Committee, Maharaja Hari Singh promulgated in April, 1934, the Constitution Act of 1934.[37] The provisions of the Act provided for a Council of Ministers which was to be vested with the powers of the Government of the State, subject to reservation of certain powers of the Government for the Ruler of the State.[38]

The Constitution Act envisaged the institution of a Legislative Assembly of the State which was to be called the "Praja Sabha".[39] The Praja Sabha was to be constituted of seventy five members and in accordance with the recommendations of the Franchise Committee, thirty three of its members were to be elected, sixteen members were to be nominated by the Ruler to represent the Special Constituencies and fourteen others were to be appointed by him as Official Members. Twelve members were to be appointed by the Ruler from among the members of the Council of Ministers and other State Officers. The Constitution Act envisaged separate electorates. Of the thirty three elected members, twentyone were to be elected by the Muslims, ten by the Hindus and two by the Sikhs. Of the nominated members six Muslim members were to represent six Special Muslim Constituencies, four Hindu members were to represent four Special Hindu Constituencies, two members from among the Harijans and the Buddhists of Ladakh were to represent Buddhists and Harijans and one Sikh member was to represent one Special Sikh Constituency.[40]

The Assembly was empowered to legislate on all matters except those reserved for the Ruler and matters which imposed any disability on any community in the State, matters which affected the religious rights, usages endowments and personal laws of any community. According to the provisions of the Constitution Act, the Council of Ministers was required to present to the Assembly the Annual Financial Statement of the State. The Assembly was empowered to discuss the Statement and adopt any resolution on it. The Assembly was not, however, empowered to vote on the Statement. The Assembly was precluded from considering any of the financial matters which related to the reserved powers, expenditures obligatory under law, pensions and gratuities granted by the Ruler, interest on loans and sinking fund charges and all expenditures classified as political expenditures. The President of the Assembly was also vested with the powers to determine as to which of the financial matters were outside the competence of the Assembly.[41]

The Constitution Act, vested a number of overriding powers with the Council of Ministers with regard to the organisation and the function of the Assembly. The Council was empowered to make rules with regard to the tenure of the nominated members, nomination of members from special Constituencies, qualifications of franchise, delimitation of constituencies, election disputes, regulation of the business of the Assembly, quorum in the Assembly, the maintenance of order in the Assembly, and regulation of the questions and discussions in the Assembly.[42]

After the promulgation of the Constitution Act, the Ruler promulgated the Electoral Regulation which laid down the delimitation of constituencies and the qualifications for franchise. The Regulation was based on the recommendations of the Franchise Committee. The Electoral Regulations envisaged separate electorates and enfranchised village headmen, concession holders, pensioners, heads of religious places, title holders, soldiers, teachers, medical practitioners, IIlaqadars and land grantees, occupancy-tenants, land owners, and the people with certificates of having passed for national unity and national liberation.[43]

Immediately after the publication of the Electoral Regulations preparations for the elections to the Assembly were started. The State was divided into Constituencies on the basis of separate and Special electorates. Ten of the Constituencies were allotted to the cities of Srinagar and Jammu. The remaining twenty three constituencies were allotted to rural areas in the two provinces. The Electoral Rolls for the ruler constituencies were prepared by the Tehsil Revenue Officers and the Electoral Rolls for the City constituencies by the Municipal Officials. The revised Electoral

Rolls were published in May, 1934. The nominations for the elections and their scrutiny was completed in June. Seventysix nominations were accepted for the contest. Nine candidates were returned to the Assembly unopposed. Elections were held on September 3, 1934. The Muslim Conference which had put up candidates for all the twentyone Muslim seats captured all the twentyone seats. In Kashmir, Yuvuk Sabha captured all the three Hindu seats, reserved for the Hindus in Kashmir. Sardar Budh Singh, the Sikh revolutionary was returned for the Sikh seat of Poonch.[44]

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3

Struggle For Unity

The British intervention in the aftermath of the Muslim agitation amply demonstrated that the Princely States were instruments created by the British Colonialism and were subject to the operatives of Paramountcy. The expedition and promptitude with which the British took over the control of the Government in the State, appointed British Officers to conduct the administration of the State and sent British troops to restore law and order in the riot torn districts of Mirpur and Poonch in the Jammu province, brought to surface the close identity between the British colonial interests in India and the Indian States. The British Government immediately banned the entry of the Ahrar volunteers into the State and took stern action against the Muslim elements which had supported the Muslim agitation in Kashmir.[1]. Immediately after they had sent in their troops to the State, the Indian authorities withdrew the aid they had secretly given to the different Muslim movements and factions in the Punjab and sought their support for the Muslim agitation in Jammu and Kashmir. The Ahmadyas, who had mainly directed the Muslim agitation in the State during the stormy months of 1931, quietly withdrew from the agitation and instead settled to a campaign of the propagation of the Ahmadya faith among the Muslims in the State. The Central Kashmir Committee and the other Kashmir Committees which had sprung up during the early months of 1931, quickly disintegrated.[2]

These developments had a deep impact on the evolution of the different community movements in the State which were actually arraigned against each other. The Muslim Conference leaders, now deprived of the strong British support and the support they had received from the Muslims from India, during the early phases of the Muslim movement in Kashmir, stood face to face with the difficulties of conducting the Muslim movement against the British. The Muslim leaders suddenly found themselves arraigned against the Dogra as well as the British. The recommendation of the Glancy commission neither reduced the precedence the the Hindus in the State administration nor opened any fresh avenues for the educated Muslim youngmen. The constitutional reforms of 1934, also did not promise any initiative to the Muslims in the State to achieve a measure of participation in the political processes of the State. The recommendations of the Glancy Commission and the constitutional reforms did not provide any relief to the vast masses of peasantry in the State, the landless labourers, artisans and craftsmen as well as the masses of the ordinary workmen in the township and other cities of the State. As a matter of fact many of the Muslim grievances remained unremedied.[3]

The Muslim leaders also realised that the emancipation of the Muslims could not be viewed in isolation and was dependent upon the overall political and economic developments in the State. They also realised that the Dogras and the Indian Princes, placed within the orbit of paramountcy, were hardly left with any initiative or power to concede to the demands of their people, whether Muslim or Hindu, for any political emancipation and economic rehabilitation. The Muslim leaders were left with little doubt that the British colonialism in India, fed as much on the people in the Indian States as it did on the people in British India and the liberation of the Muslims in the State was inseparably linked with the operation of British Paramountcy.

Shortly after the institution of the Praja Sabha, the younger leaders in the Muslim Conference pleaded for change in the course of action, the Muslim Movement had followed.[4] Sheikh Mohammad Abdullah, Chowdary Ghulam Abbas Khan, Maulana Sayeed Masoodi, Ghulam Mohammad Bakhshi, advocated the reorientation of the Muslim movement to convert it into a wider movement for political and economic reforms, in which all the people in the State, the Hindus, the Muslims, the Sikhs would participate.[5] The Muslim leaders emphasised that no movement which aimed to achieve emancipation of the Muslims alone would ever succeed in circumstances where it was cast against the other communities.[6]

Throughout the summer of 1935, a long debate continued among the rank and file of the Muslim Conference on the issue of reorganizing the Muslim movement. A section of the conservatives led by Mirwaiz Moulvi Yousuf Shah had already parted its ways from Sheikh Mohammad

Abdullah and the other radicals in the Conference. The Mirwaiz had instituted a separate Muslim organization called 'the Azad Muslim Conference' to struggle for the redress of Muslim grievances in the State.[7] Inside the Muslim Conference, therefore, the radicals did not face much resistance, though from outside they were subject to scathing attack. The new outlook which the radical leaders advocated was given articulate expression at the annual session of the Muslim Conference which was held in November, 1935, in Srinagar. Many of the Hindu and Sikh leaders from Kashmir, among whom Sardar Budh Singh, Jialal Kilam and Prem Nath Bazaz were invited to attend the annual session of the Muslim Conference as special invitees. Chowdhry Ghulam Abbas who was elected the President of the session, made a fervant appeal to the Hindus and the Sikhs in the State to support the Muslim Conference in "its struggle against absolutism and oppression." Abbas observed that the struggle which the Muslim Conference led, was aimed to seek the emancipation of all people in the State irrespective of their religion. He asked the Hindu and the Sikh leaders who were intently listening to him "to forget the bitterness of the past" and "support the Muslim Conference in its struggle for political and economic betterment of the people in the State."[8]

A large section of the Hindu and the Sikh leadership also favoured the initiation of a secular and non-communal movement for political reforms in the State. The Hindu and Sikhs both in Jammu and Kashmir, had supported the national movement in India right from 1919, when Civil obedience Movement had been launched by the Congress.[9] The Sikhs had earlier participated in the Akal movement, which had shaken the British rule in the Northern India.[10] In spite of the severe reaction the Hindus and the Sikhs had suffered during the outbreak of the Muslim agitation in 1931, and the Communal riots which followed it, they continued to draw inspiration from the National congress and gave unstinted support to the movement led by the Congress. Because of the inability of the Congress to organise its units in the State, the Hindus and the Sikhs had not been able to organise Congress units in the State. Most of the Hindu and Sikh organisations, though sectarian in character, supported the congress demand for national unity and national liberation[11].

The Hindus and the Sikhs, therefore, watched with considerable relief the gradual shift in the Muslim Conference. A number of leaders among the Hindus and Sikhs hailed the developments in the Muslim Conference and offered their support to the Conference in forging a United movement for political reforms in the State. There were, however, a number of important issues, which the Muslim agitation had brought to surface, and which the Hindus and the Sikhs found it necessary to settle, before non-communal movement for political reforms in the State could be initiated. The Hindus and the Sikhs formed one third of the population of the state and being in minority they sought protection against Muslim communalism, which if it was left unchecked, would have proved devastating for them.[12]

In February 1936, the Working Committee of the Muslim Conference met in Srinagar. The Committee adopted a number of resolution, which envisaged :

i) demand for responsible Government;
ii) the institution of a Legislative Assembly;
iii) abolition of separate electorates and introduction of universal adult franchise.[13]

The Muslim Conference leaders appealed to the Ruler that the constitutional reforms introduced in 1934, had done considerable harm to the evolution of representative and responsible political institutions in the State and urged upon him to widen the scope of the constitutional provisions envisaged by the Constitution Act of 1934, and introduce a substantial measure of responsibility in the State Government. The Working Committee also took a decision to organise demonstrations on 8th May, 1936 in support of the establishment of responsible political institutions in the State.[14]

On 8th May widespread demonstrations were organised by the Muslim Conference all over the State. The demonstrations were peaceful and in most of the protest meetings mass resolutions were adopted which demanded the introduction of responsible government in the state under the aegis of the Ruler of the State.[15] In most of the meetings, the Muslim leaders emphasised that they were not against Dogra rule in the State but demanded the introduction of a government in the State which would be representative of the people of the State and responsible to them. The Muslim leaders claimed that the introduction of responsibility in the State Government would alone lead to the economic and political emancipation of the people in the State.[16]

In June, the Working Committee of the Muslim Conference, constituted a Sub-Committee to direct the movement for political reforms in the State. The Committee was also asked to prepare a memorandum on the basis of the resolution passed in the public meetings held on 8th May. Decision was taken that the memorandum drafted by the Committee would be submitted to the Ruler of the State. The Sub Committee was constituted of Sheikh Mohammad Abdullah, Chowdry Ghulam Abbas, Mian Ahmad Yar, Mirza Afzal Beg and Raja Mohammad Akbar Khan, a Muslim leader from Poonch. The Working Committee gave a call to the Hindus and the Sikhs to join the movement for political reforms. The working committee offered to the minorities that the Muslim Conference would consider any safeguards which the minorities deemed necessary for their protection.[17]

In August, 1936, the General Council of the Muslim Conference was convened in Srinagar. The Council confirmed the decisions adopted by the Working Committee in regard to the movement for self-government, introduction of joint electorates and the communal situation in the State. The General Council took a major decision when it authorised the Sub-Committee appointed by the Working Committee in June, to invite the Sikh leader Sardar Budh Singh, Kashmir Pandit leader Prem Nath Bazaz and Prem Nath Dogra from Jammu to join the deliberations of the Sub-committee.[18]. Decision was also taken by the General Council to authorise Sheikh Mohammad Abdullah to find ways and means for :

a) further improvement of the relations between different communities in the State; and
b) find a basis for a secular movement for political, social and economic reform in the State in which all the communities in the State would participate.[19]

The decisions of the General Council were a landmark in the political develoments inside the Muslim Conference. The acceptance of communal unity, had its implications both for the political movements in the State as well as the political movement at the national level. For the Conference, the decision amounted to the repudiation of the Muslim objectives which the Muslim movement had adopted in 1931. To that extent the decision of the General Council was also an implicit declaration of support for the unity of India.

National Outlook

Shortly after the meeting of the General Conference, Prem Nath Bazaz and Ghulam Mohammad Sadiq, a Muslim Conference leader, founded the Jammu and Kashmir Youth league, an organisation which pledged its support to the unity of all people and the institution of responsible government in the State.[20] The Youth League leaders had the patronage of Sheikh Mohammad Abdullah and other radical leaders in the Muslim Conference. In September, the League unequivocally pledged its support for the liberation of Indian people from the British rule.[21]

A month after the foundation of the Youth League, a number of Hindu and Muslim leaders in Jammu, among whom were Ghulam Gous, an advocate and a Muslim Conference enthusiast, Chowdry Nur Hussain a nationalist Muslim, Comrade Mohammad Shafi and Comrade Tika Singh, Trilochan Dutt and Lala Girdhari Lal Anand, founded a Committee of the Indian National Congress at Jammu.[22] Lala Girdhari Lal Anand, Trilochan Dutt and Chowdry Nur Hussain were enthusiastic supporters of the Congress in India and had participated in the Congress movements in the Punjab. The Indian National Congress Committee pledged its support to Indian liberation from the British rule, Indian unity and constitutional reform in the State.

Early in 1937, the Committee leaders made a formal request to the Secretariat of the Indian National Conference seeking affiliation to the Congress. The Congress Secretariat, however, refused to recognise the Congress Committee in Jammu on the ground that the Congress could not actively participate in the political activities in the States and no Congress Committees could be organised inside the state.[23]

The formation of the Congress Committee and the Youth League was accompanied by the emergence of a powerful labour movement in the State.[24] Mazdoor Unions were organised by the Muslim Conference leaders and cadres, mainly Ghulam Mohammad Sadiq, Ghulam Mohammad Bakhshi and Mohidin Qara. A Central Mazdoor Union was formed to coordinate the work of the various Mazdoor Unions and Sadiq was elected the President of the Union. The Labour Unions staged huge demonstrations, one after the other, in Srinagar as well as in Jammu and in the demonstrations, Muslims, Hindus and Sikhs participated. [25] Echoes of these developments were heard in the Praja Sabha also.[26]

In January, 1938, Sheikh Mohammad Abdullah and other senior leaders of the Muslim Conference met Jawahar Lal Nehru in the North Western Frontier Province. Girdhari Lal Anand and Prem Nath Bazaz accompanied Sheikh Mohammad Abdullah.[27] Nehru advised the Conference leaders to convert the Muslim Conference into a national organisation. A decision was reached with the minority leaders that legitimate safeguards for minorities would be accepted by the Muslim leaders in order to allay their fears of any Muslim dominance.[28]

On 4th of January, 1938, the Working Committee of the Muslim Conference met in Jammu. Maulana Sayeed Masoodi, moved a resolution in the Committee, which sought to change the name of the Conference and amend its constitution in order to convert it in a secular and national organisation.[29] There was a heated debate in the meeting and Maulana Masoodi had to withdraw the resolution in view of the constitutional limitations that any resolution seeking to amend the constitution of the Conference could only be moved in the annual session of the Conference.[30]

The annual session of the Muslim Conference was held in Jammu in March, 1938. The session was presided over by Sheikh Mohammad Abdullah. Sheikh Mohammad Abdullah emphasised the necessity of establishing a national organisation in the State. He pointed out that only such a national organisation could guide the movement for responsible government in the State.[31] In the open session of the Conference Maulana Masoodi introduced the resolution which he had attempted to place before the Working Committee of the Conference in January. The resolution sought to amend the constitution of the Conference to change the name of the Conference and rename it Jammu and Kashmir Political Conference; open its membership to all people irrespective of religion and creed; and redefine its objectives and comit it to political reforms as well as social and economic emancipation of the people in the State.[32] The resolution evoked sharp reaction from a number of Muslim leaders. The resolution was withdrawn.[33]

Elections To Praja Sabha

The elections to the Praja Sabha were held in May, 1938. Nineteen of the Twenty Muslim Conference nominees were returned to the Sabha. The nomination papers of the twentieth nominee were rejected at the scrutiny. Immediately after the elections, the Hindus in Kashmir founded a new organisation which they named the Hindu Progressive Party.[34]

The Hindu Progressive Party pledged its support to Hindu-Muslim unity, the struggle for responsible government in the State and the movement for the freedom of India from the British rule. The party worked in close collaboration with the Muslim leaders who supported the initiation of a secular movement in the State.[35].

After having secured resounding victory in the elections Sheikh Mohammad Abdullah launched a campaign of mass meetings to convass wider support among the Muslims for the reorganisation of the Muslim Conference. In most of the meetings he told the Muslims that he would leave the Muslim Conference, if the Hindus and Sikhs were not allowed to be brought within its fold. In a meeting in Srinagar, he said, "I am convinced that either I must leave the reins of the Muslim Conference from my hands or the doors of the Conference shall have to be opened to the non-Muslims.[36]"

Sheikh Mohammad Abdullah had emerged as the most powerful Muslim leader in the State. The Muslim masses had greater trust and faith in him than they had in another leader. By and large, they bowed to his decision. Among the leaders and cadres of the Muslim Conference also, Sheikh Mohammad Abdullah enjoyed for greater respect and loyalty than any other Muslim leader did. Except for the Conference cadres from the Jammu province, mainly from the districts of Poonch and Mirpur, the rank and file of the Muslim Conference acclaimed the conversion of the Muslim Conference into a national organisation.

The Working Committee of the Muslim Conference was convened in Srinagar on 24th June, 1938. Sheikh Mohammad Abdullah himself moved the resolution in the Committee and called for amendments in the Constitution of the Muslim Conference to change the name of the Conference and open its portals to the people of the State irrespective of their religion and creed.[37] The resolution also called upon the Conference to redefine its objectives. The Working Committee remained in session for four days. Finally, on 28th June, the Committee adopted the resolution by a majority of fourteen of the twenty members of the Working Committee.[38] Four members, Chowdry Ghulam Abbas, Abdul Majid Qureshi, Chowdry Abdullah Bhali from Jammu and Master Abdul Aziz from Muzzafarabad district of the Kashmir province voted against the resolution.[39]

Two days after the Working Committee meeting, Sheikh Mohammad Abdullah released a long statement to the press. Sheikh Mohammad Abdullah emphasised the need to launch a common struggle for the realisation of the responsible government in the State and invited all the people of the State, irrespective of their creed and religion, to join the struggle.[40]

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4

National Conference

In the summer of 1938, the national movement in the State of Jammu and Kashmir entered the most decisive phase of its development. The movement inside the Muslim Conference for its reorganization, the foundation of the Jammu and Kashmir Youth League, the institution of the Indian National Congress Committee in Jammu and the formation of the Hindu Progressive Party in Kashmir, were developments of far reaching import. Among a sizable number of leaders and cadres of almost all the community movements in the State, consensus emerged on such basic issues as the liberation of India from foreign dominance, unity of the Indian people and the constitutional reforms in the State.

The foundations of the secular and national movement we laid down in the months that followed the resolution of the Muslim Conference, which the Conference adopted in June, 1938. Events of far-reaching importance followed the adoption of the Muslim Conference resolution and ultimately led to the emergence of a national and secular organisation: the National Conference. The National Conference committed itself to the unity of India from the British rule and the emancipation of the people of Jammu and Kashmir from the shackles of Dogra princedom. In this long and tortuous process the Muslim Conference leaders, representing the majority of the people in the Jammu and Kashmir State, played the major role. However, the Hindus and the Sikhs, who had right from 1919, supported the Congress movement for Indian liberation, played an equally important part. Among a large number of leaders and cadres of the Muslim Conference, Kashmiri Pandit Yuvak Sabha, the Congress Committees in the provinces of Jammu and Kashmir and the Hindu Progressive Party, consensus was gradually arrived on such basic issues as the liberation of the Indian people from the British tutelage, unity of the Indian people and the constitutional reforms in the Indian States. Most of these leaders arrived at an agreement that the national movement in the State was inseparably linked with the national movement in India and in order to achieve a fair amount of political reform in the State, unity of all the communities in the State was a pre-requisite. An understanding was also reached that inside the State the movement for freedom needed to be geared to the national liberation movement in British India and the Indian States.

Following the decision of the Working Committee of the Muslim Conference in June 1938, the Muslim leaders had a number of closed-door meetings with the Hindu and Sikh leaders among whom were Sardar Budh Singh, Prem Nath Bazaz, Kashyap Bandhu, Jialal Kilam and Shyam Lal Saraf. Sheikh Mohammad Abdullah underlined the necessity of launching a secular national movement for the realisation of political reform in the State.[1] Many delicate issues came up for the deliberation of the leaders in these meetings.[2] These issues involved such matters as the minority safeguards, reservation of seats for the minorities in the State legislature, abandonment of separate electorates, recognition of Indian unity, rejection of communal separatism and the acceptance of constitutional struggle for political reform in the State. The acceptance of the Indian unity and the rejection of communal separatism was the most crucial issue the Muslim Conference leaders faced.[3]

Many of the supporters of the Muslim Conference, among whom where such stalwarts as Mirza Afzal Beg, Mian Ahmad Yar, Chowdhry Ghulam Abbas Khan, were apprehensive of a vertical division in the Conference, and, therefore, counselled caution. The more radical of the leaders, among whom were Sheikh Mohammad Abdullah, Ghulam Mohammad Sadiq, Maulana Masoodi and Bakshi Ghulam Mohammad, however, realised that a united front of the Hindus, the Muslims and the Sikhs could be forged only on the acceptance of the fundamental principle of the unity of Hindus, Muslims and the Sikhs and the other communities in India and the consequent repudiation of Muslim separatism advocated by the League, vigorously pleaded for the acceptance of Hindu and Sikh demands.

After long and protracted discussion which spread over several weeks the leaders adopted a number of important decisions which later became the mainstay of the national movement in the State. The leaders evolved a number of principle which they believed could form the basis for a common and secular movement for political reforms in the State. These principles were:[4]

i) that a secular and national movement which aimed at the emancipation and welfare of all the people be initiated in the State;

ii) that a national political organisation be instituted in the State, in which all people of the State, irrespective of their religion and creed, would be able to participate;

iii) that the movement be aimed at the realisation of responsible government in the State, in which the administration would be responsible to a National Assembly elected by the people on the basis of universal adult franchise and in which the policies and the decisions of the government would be determined by the people;

iv) that close coordination be effected between the movement for political reforms in the State and the movements for political reform in the other States of India.

v) that the movement for political reforms in the State would be based on the acceptance of the basic principle that India was a unity and all the communities in India formed one nation;

vi) that the movement in the State would be conducted on the same bases, which underlined the Indian National Congress, and the National organisation would maintain close liaison with the leaders of the Indian National Congress and seek and secure from them advice and help from time to time; and

vii) that the movement in the State would be conducted on constitutional lines and would aschew violence.

On 30th June 1938, the leaders again met to discuss the operatives of the decisions they had taken. In the meeting decision was taken that a joint movement be initiated for the propagation of the demand for responsible government.[5] The leaders agreed that a campaign be conducted among the people for the institution of a secular and national political organisation in the State. They also agreed that the people be apprised of the goals and objectives of the proposed secular and national movement as well as the need and necessity for the introduction of responsible government in the State. It was also decided that a 'Responsible Government Day' be celebrated on 5th August and the joint movement for the realisation of responsible government be launched in the State from the same day.[6]

Quest for Responsible Government.

Immediately after these decisions, the leaders started preparations for the celebration of the 'Responsible Government Day'. The Muslim Conference leaders instructed the Conference units all over the State to organise demonstrations and public meetings on 5th August.[7] A number of Hindu organisations, among which were the Congress unit in Jammu, Congress unit in Srinagar and the Hindu Progressive Party gave a call to the Hindus for participation in the demonstrations to be held on 5th of August.[8] The two powerful Hindu organisations, the Kashmiri Pandit Yuvak Sabha and the Hindu Sikh Navjawan Sabha, which had been organised in the wake of Cow Agitation in Jammu, however, refused to join the demonstrations.[9]

On 5th of August, the "Responsible Government Day" was celebrated all over the State. In Srinagar, a huge procession, in which people of all communities participated, was organised. The procession was led by Sheikh Mohammad Abdullah, Sardar Budh Singh, Prem Nath Bazaz, Kashyap Bandhu and Mian Ahmad Yar.[10] Later the leaders addressed a huge gathering at the Huzuri Bagh ground in Srinagar where the procession ended. The leaders emphasised three basic issues:-[11]

i) responsible Government was the demand of all the people in the State, irrespective of their religion and creed;
ii) to achieve responsible Government it was necessary to initiate a secular and national movement in the State; and
iii) a secular political organisation was essential for such a movement.

In the meeting Sheikh Mohammad Abdullah moved a resolution which was unanimously adopted by the assemblage. The resolution had a symbolic significance and was the first joint expression of all the communities in the State for political reform and freedom. The resolution reiterated the demand of the people of the State for responsible government and called upon all the patriotic people to unite under one banner and prepare for the struggle to achieve freedom. The resolution read:

> "The people of the State are now convinced that the present irresponsible system of government is solely responsible for their economic and political backwardness and so long the system of government continues, these ills will not be remedied, instead the condition of the

> people will deteriorate further. Therefore, the people of the State express their distress against the present irresponsible government. The people consider it necessary to reiterate their faith that only the introduction of responsible government can remedy their miseries. This meeting appeals to all the patriotic people, and calls upon them to unite under the banner of freedom and prepare for the forthcoming struggle. Having come out victorious from this struggle, we shall be able to absolve democracy from its political, social and economic shackles.[12]

The next day, the District Magistrate of Srinagar, ordered Sheikh Mohammad Abdullah to desist from delivering speeches for a period of six months. The District Magistrate charged Sheikh Mohammad Abdullah that his speeches were likely to disturb the peace and tranquillity in the Province.[13] Sheikh Mohammad Abdullah wrote back to the District magistrate that his speeches were aimed to strengthen communal harmony in the province and his efforts were aimed at the realisation of responsible government in the State.[14] He informed the District Magistrate that he earnestly believed in the legitimacy of his activities and he would not accept any restrictions on his freedom or would not by any intimidation, abandon the struggle for responsible government in the State. Two days after, the District Magistrate served a similar notice on Prem Nath Bazaz.[15] Prem Nath Bazaz wrote back to the Disitrict Magistrate that the demand for responsible government was a legitimate political activity and he was not prepared to surrender his right to legitimate and lawful politicial activity.[16]

The Ruler and his Prime Minister, N. Gopalaswamy Ayangar were not prepared to contenance the developments that occurred in rapid succession in the State after 5th of March. N. Gopalaswamy Ayangar was by no means a radical administrator. He could not accept the transfer of power to a legislative body on the basis of universal adult franchise and accept the introduction of administrative responsibility in the government. Ayangar had neither the authority nor the desire to encourage any movement for such drastic reform in the State government. In fact, Hari Singh himself was not prepared to abnegate from any of his authority and was in no case ready to relax his control over the government and the administration of the State. The Ruler of the State and his Prime Minister realised clearly that if the movement, which had been launched in the State, was not contained, it would assume proportions, which, it would be difficult to control. They also realised that the movement would definitely bring down upon them the displeasure of the British. The Resident and the other British officials had already conveyed to the State Government their disapproval of the political developments in the State.[17]

The prohibitory orders served on Sheikh Mohammad Abdullah and Prem Nath Bazaz, restraining them from making any speeches in Srinagar, angered up both the Hindu and Muslim leaders. Most of the leaders expressed resentment against the prohibitory orders. The leaders took a decision to formulate a joint declaration which would underline the ideological commitments of the movement for political reform as well as lay down its operational directives. A Joint Committee constituted of Khawaja Ghulam Mohammad Sadiq, Sardar Budh Singh, Pandit Kashyap Bandhu, Pandit Jia Lal Kilam, Mirza Afzal Beg and Prem Nath Bazaz, was appointed to draft the declaration[18]. The Joint Committee decided to formulate and define the general principles on the basis of which political reforms would be introduced in the State. It was, however, agreed that no directives to determine the affiliations of the movement for the achievement of responsible government would be incorporated in the declaration untill a formal political organisation was constituted. The Joint Committee presented the Draft Declaration to the Hindu and Muslim leaders on 19th August 1938. The leaders approved the Declaration on the same day.[19] It was agreed upon by the leaders that the Joint Declaration be called the "National Demand" and be adopted in a public meeting in Srinagar.[20]

The "National Demand" was published on 24th August, 1938. Two days after the State Government imposed section 144 of the Criminal Procedure Code in Srinagar and prohibited all meetings and processions within the precincts of the Srinagar city.[21] The Muslim leaders called a meeting of the Working Committee of the Muslim Conference, to formulate a programme of action against the imposition of prohibitory orders in Srinagar. The Committee resolved to adopt the "National Demand" at a public meeting which would be held at the Hazratbal shrine in Srinagar on 27th August, 1938.[22] Later, in a meeting of the Hindu and Muslim leaders, the decision of the Working Committee was endorsed. The "National Demand" was signed by Sheikh Mohammad Abdullah, Ghulam Mohammad Sadiq, Ghulam Mohammad Bakshi, Maulana Sayeed Masoodi, Sardar Budh Singh, Kashyap Bandhu, Prem Nath Bazaz, Shyam Lal Saraf, Jialal Kilam, Shamboo Nath Peshin, Mian Ahmad Yar and Afzal Beg.[23]

The next day heavy police pickets were posted around the premises of the shrine at Hazratal. In a huge meeting of the Muslims in which many Hindus and Sikhs participated, the "National Demand" was adopted publicly.[24] After the meeting ended and the people came out of the shrine, a number of them were arrested for shouting slogans demanding responsible government.[25] Later in the day Kashyap Bandhu was arrested in Srinagar for having defied the prohibitory orders.[26] Sheikh Mohammad Abdullah was arrested the next day.[27]

The news about the arrest of the leaders spread all over the State like wild fire. In Kashmir province wide spread demonstrations were organised in protest against the arrest of Sheikh Mohammad Abdullah and the other leaders. In most of the townships in the Kashmir province business and trading was closed. In Srinagar, huge mobs collected in the streets in defiance of the prohibition against public meetings.[28] Sardar Budh Singh Maulana Sayeed Masoodi, Ghulam Mohammad Sadiq and Ghulam Mohidin Naqash along with a host of their supporters defied the prohibitory orders and courted arrest.

Late in the afternoon, when the Prime Minister of the State, N.Gopalaswamy Ayangar was returning from the Civil Secretariat in Srinagar, a Conference enthusiast, Mohammad Rajab Dar, jumped on the bonnet of his car. Rajab Dar, who slid down the front of the bonnet of the vehicle was caught in the axle-head and was dragged along the road as the vehicle sped away. N.Gopalaswamy Ayangar escaped unhurt.[29]

Immediately after, almost all the signatories to the "National Demand" and all prominent leaders of the Muslim Conference, besides hundreds of other workers and men, who were suspected of having supported the agitation, were arrested. District Officers of all districts dealt with the agitators severely. Many people were arrested and detained without any warrants and without orders from any courts.[30]

The leaders of the agitation, among whom were many of the signatories to the "National Demand", were summarily tried and sentenced to different terms of imprisonment. Most of the cadres of the Muslim Conference and the Hindu Progressive Party, and the people who had been arrested for having supported the agitation were also imprisoned. Afzal Beg and Ghulam Mohammad Sadiq were expelled from the Praja Sabha.

Congress Committee Resolution

Ghulam Mohammad Bakhshi evaded arrest and with the Secretary of the Hindu Progressive Party, Prem Nath Dhar, escaped to India. Bakhshi and Dhar met Nehru and later Mahatma Gandhi and apprised them of the situation in the State. Later, they met Abul Kalam Azad, Gaffar Khan and the other Congress leaders. Due to the efforts of Bakhshi and Dhar a Congress deputation was sent to Jammu in December to persuade Hari Singh as well as Ayangar to release the imprisoned leaders and introduce constitutional reforms in the State. Gopalaswamy Ayangar refused to release the prisoners.[31] He, however, agreed to consider the issue of introducing some more constitutional reforms in the State.

The All India Congress Committee adopted an elaborate resolution on the Indian States.[32] The resolution said that in a number of States, which included Kashmir, the government was following a policy of severe repression. The resolution confirmed that the Congress Committee had received appeals from the people of these States for help and guidance in their struggle against repression. The resolution reaffirmed whole hearted support for the constitutional reform in the States. The Committee, however, reiterated its policy of non-interference in the affairs of the States and its continuous efforts to convert the Princes of the Princely States to the view that their true welfare consisted in a voluntary surrender of power to the people.[33]

A branch of the All India States' Peoples Conference was established in Srinagar in the aftermath of the agitation for responsible government in the State. Mohan Krishen Tickoo of the Hindu Progressive Party was elected the President of the unit and Mian Ahmad Yar, its secretary.[34] Mian Ahmad Yar was the leader of the Muslim Conference Parliamentary party in the Praja Sabha. After the arrest and imprisonment of the leaders, in connection with the agitation for responsible government, the Secretariat of the All India States' Peoples Conference unit in Srinagar established States' Peoples Conference units all over the State.

National Demand

The declaration of the 'National Demand' stipulated the general principles and ideological directions which the Hindu and Muslim leaders claimed could form the basis in which a secular and national movement for political reform and social and economic emancipation of the people in the State, could be initiated. The declaration began with the words :

> "As is well known that there is a nation-wide movement afoot among the people of Jammu and Kashmir State, to bring about a complete change in the social and political outlook of the people. This movement is not confined to any particular community or section of the people but all classes of people have been participating in it with the fullest consciousness of the issues it involves. But we do make it perfectly clear at the very outset that our loyalty to His Highness person and throne is unswering and needs no reiteration. The ever-growing menace of unemployment amongst our educated youngmen and also among the illiterate masses in the country, the incidence of numerous taxes, the burden of exorbitant land revenue, the appalling waste of human life due to want of adequate and modern medical assistance, the miserable plight of uncared for thousands of labourers outside the State boundaries and in face of all this the patronage that is being extended by the Government in the shape of subsides and other amenities to outside capitalists as also the top heavy administration that daily becomes heavier, point to only one direction that the present condition can never be better as long as a change is not made in the basic principles that are underlying the present system of Government.[35]"

The declaration envisaged the institution of responsible goverment in the State and the substitution of the existing system of separate and qualified franchise by universal adult franchise and the acceptance of safeguards for the minorities in the State. The manifesto also demanded that the people in the State have ensured the basic rights to life, liberty and property, right to freedom of speech, freedom of association and the right to legal remedies against arbitrary action of the State.[36] The National Demand stipulated :

1) Executive responsibility to a legislative body elected by the people of the State on the basis of universal adult franchise, subject to the general control of the ruler and the reservation for the Ruler's powers in respect of defence forces, foreign affairs and the Political Department.
2) Legislative control over the finances of the State except the expenditure in respect of defence forces, foreign affairs, Political Department and the Dharmarth Department.

3) Responsibility of all administrative institutions to the legislative body.
4) The right of all the State Subjects to enter services in the armed forces of the State.
5) The right of all the State Sujects to freedom of faith, freedom of speech, freedom of press, freedom of assembly and freedom of profession, and guarantees against arbitrary arrest and detention.
6) Minority safeguards and weightage for minorities in the proposed legislative body.[37]

While the leaders who had directed the movement for responsible government were languishing in Jails, the Ruler of the State issued a proclamation which envisaged a number of modifications in the Constitution Act of 1934.

The proclamation provided for the following modifications:[38]

i) The elected membership of the Sabha was increased from thirty three to forty;
ii) The Office of the Deputy President of the Sabha was opened to election;
iii) A non-official member of the Sabha was to be appointed a Deputy Secretary to the Government;
iv) The Sabha was to be vested with powers to vote on the Budget of the State within certain limitations.

All India States' Peoples Conference

The signatories to the 'National demand' and a number of other National Conference leaders, who had been impresioned in connection with the agitation for responsible government, completed the term of their imprisonment in February 1939. In the meantime the States' Peoples Conference session was scheduled to be held on 15th, 16th and 17th of February, at Ludhiana in the Punjab.[39]

The State unit of the All India States Peoples' Conference in Kashmir nominated a large delegation of leaders to participate in the Ludhiana Conference.[40] The States' Peoples Conference unit and the Congress Committee in Jammu also announced delegation for the Ludhiana Conference.[41]

The leaders released from Jails in Riasi, Kathua, Mirpur and Badrahwah in Jammu province, most of whom had been nominated delegates to the All India States' Peoples Conference, set out for Ludhiana from Jammu.[42] The news of their release, however, reached Srinagar and meetings and processions were organised all over the city to acclaim their role in the agitation for responsible government.[43] The Government did not release Sheikh Mohammad Abdullah and Kashyap Bandhu, because the senior officials in the administration did not favour the participation of Sheikh Mohammad Abdullah and Kashyap Bandhu in the States Peoples' Conference at Ludhiana.

The Conference session at Ludhiana began on 10th February, 1939. Nehru was elected the President of the Conference. In his Presidential address, Nehru claimed that the national awakening in the States was a source of strength to the people of India in their struggle for freedom. He called upon the people of the Indian States to organise themselves against communalism and oppression.[44]

All India States' Peoples Conference adopted a resolution on the Treaty Rights of the Rulers of the States[45] The Conference declared that the treaties between the British and the States had been used by the Rulers to perpetrate oppression in the States. The Conference pointed out that the treaties made over a century earlier were not binding on the people in the States, who had never been a party to such treaties.[46]

The resolution which was moved by Rapat Lal Chudgar of Rajkot read: "This Conference is strongly of the opinion that these treaties should be forthwith ended and being completely out of date and inapplicable to the present conditions and it calls upon the Paramount Power to refuse help or protection to these rulers who decline to put an end to misrule and who attempt to crush the movement for freedom in the State."[47]

The Conference acclaimed the manifesto of the "National Demand" which had been adopted in Kashmir. The Conference adopted a resolution supporting the movement for constitutional reforms in the State on the basis which" National Demand" underlined. In the Conference session, the resolution on Kashmir was moved by Sirajul Hassan Termize and seconded by Jia Lal Kilam. The resolution read:[48]

> "The Conference expresses its solidarity with the people of Jammu and Kashmir State in their struggle for responsible government and gives its support to their National Demand which embodies

> changes in political and constitutional liberties which are immediately necessary. The Conference is of the opinion that the recent constitutional changes announced by the State authorities are entirely unsatisfactory and do not make any essential difference in the present constitutional structure of the State which continues to be irresponsible. Further that there is no essential difference in the attitude of the State towards the movement for freedom and responsible government. This Conference in particular condemns Notification 19-L, which in effect normalises a state of Martial Law in the State and enacts rule of military and police. This notification confers powers of arrest and internment of political workers by Sub-Inspectors of Police, and military officials, powers of search without warrant, of confiscation of property, of the flogging of political workers, fines and long terms of imprisonment without proper trial. Such an enactment is an offence to all civilized canons of legislation and government."

After the Kashmir leaders returned from Ludhiana, they launched a vigorous and widespread campaign of public meetings and processions, in which they put before the people the 'National Demand' and sought their support for its realisation.[49] Sheikh Mohammad Abdullah was released from Kkathua Jail on 21st February 1939. Pandit Kashyap Bandhu was released on 22nd February. On their arrival in Srinagar, the two leaders got a thumping ovation from the people in Srinagar.[50]

In the meantime trouble erupted in Rajkot State, a small princely state. The people there, presented a memorandum to the Ruler, demanding constitutional reforms in the State on the same basis on which the "National Demand" had been framed. The Ruler came down with a heavy hand upon the people. The people reacted against the repression sharply and clashed with the State troops. States' Peoples Conference instucted its units in all the Indian States to organise protest against the repression in Rajkot.[51]

The Kashmir branch of the All State Peoples' Conference organised protest meetings in support of the people of Rajkot.

In their addresses, Sheikh Mohammad Abdullah and Kashyap Bandhu, pointed out that the people in the Indian States were an inseparable part of the Indian people and the liberation of the Indian people could not be achieved without the liberation of the people in the States. The "Rajkot Day" marked the beginning of a long series of public meetings which were held all over the Kashmir province. In most of these meetings the leaders emphasised :

1) Struggle for responsible governmnet in the State; and
2) Commitment to non-violence;

The Kashmir branch of the All State Peoples' Conference organised protest meetings in support of the people of Rajkot. A protest meeting was held in Srinagar at the Muslim Conference Headquarters in which Jialal Kilam, Kashyap Bandhu, Prem Nath Bazaz Maulana Masoodi and Ghulam Mohammad Sadiq participated. Kilam and Prem Nath Bazaz moved a resolution in the meeting expressing support for the people of Rajkot in their struggle for self-government. Prem Nath Bazaz told the assemblage:[52]

> "You people must not forget that inside the prison walls also we were thinking of our country Rajkot is a small princely State; but we have its problem before us,. You can see that so far, the Hindus and the Muslims have been separately trying to ameliorate their lot. Now the responsibility of unwelfare of Hindus is on the Muslims and that of the Muslims devolves on the Sikhs and that of the Sikhs and Muslims on the Hindus. Today everyone seeks emancipation from slavery because the one remedy for slavery, hunger and unemployment is responsible government. At present there are more than five hundred Princely States in India. In most of these States an incessent struggle is going on for self-government."

Tripuri Congress

The annual session of the Indian National Congress was held in Tripuri in March, 1939. Jawaharlal Nehru sent a special invitation to Sheikh Mohammad Abdullah and the other State leaders to attend the session. The meeting of the Standing Committee of the States Peoples' Conference was also scheduled to be held at Tripuri.[53] Nehru and the other Congress leaders wanted Sheikh Mohammad Abdullah and the other State leaders to participate in the meetings of the Standing Committee. Sheikh Mohammad Abdullah, Kashyap Bandhu, Prem Nath Bazaz, Maulana Sayeed Masoodi, and Ghulam Mohammad Bakshi reached Tripuri on 9th

March, 1939. Jawaharlal Nehru called upon the Kashmir delegation the same day, and had a long discussion with them. The next day the Kashmir delegation exchanged views with Sardar Valabhbhai Patel, Khan Abdul Gaffar Khan and Pattabhi Sitaramaya.[54]

On 11th March the representatives of Mysore, Bhopal, Indore, Patialla, Rajputana and Kathiawar met in a joint session to discuss the resolution proposed to be presented at the Tripuri Congress session with regard to the States. The representatives also discussed the means by which the ties between the people in the States and the people in British India could be strengthened.

In his address to the Standing Committee of the States' Peoples' Conference, Sheikh Mohammad Abdullah, demanded the introduction of responsible government in the States. He advised the Princes that they should not squander away the resources of the States, but use them for the welfare and progress of their people. Sheikh Mohammad Abdullah pledged support to the ideals and basic principles of the Indian National Congress.[55]

Sheikh Mohammad Abdullah made an outright declaration in the open session of the Congress that eight crores of the Indians in the Princely States should unite and launch a movement for the political reforms in the States. Sardar Patel mounted a scathing attack on the Princes and declared that the real power in the States was with the people and not the Princes. He warned the Princes that they could survive only if they conceded the transfer of power to their people.

The Kashmiri leaders reached Delhi from Calcutta on 26th March 1939 and met Mahatma Gandhi. They handedover to him a copy of the report on the political events in the State which they had presented to the Standing Committee of the All India States' Peoples Conference, along with a copy of "National Demand". Gandhi agreed with the State leaders that a movement for political reform was needed to be initiated in all the Indian States.[56] He suggested to Sheikh Abdullah and the other Muslim leaders that any public movement based on communal outlook could not succeed in securing the Muslims in the State any political or economic reforms. He told them that the first and foremost task the Muslim leaders would have to undertake, was to forge a united and common front of all people against the despotism of the Rulers. He emphasised the immediate need of establishing a comon front and a common movement for political reforms in the State. He also told the leaders, that their movement in the State should be constitutional and non-violent.[57] Gandhi frankly admitted the inability of the Congress to take the fight to the States and told the leaders that the States' people had to fight their own battles.

On his way back to Kashmir, Sheikh Mohammad Abdullah was invited to preside over the Punjab States' Peoples Conference. In his address to the Conference Sheikh Mohammad Abdullah emphasised that the movement for freedom in the Indian States was a part of the movement for freedom in India. "The struggle in the States is not as much against the Princes as against the Political Department of the Government of India and against the British imperialism."[58] He emphasised that the Indian National Congress and the people in the Indian States were closely linked to each other.

Sheikh Mohammad Abdullah, Kashyap Bandhu and the other leaders, were given a tumultious ovation on their return to Srinagar. A huge procession followed them to Mujahid Mazil the headquarters of the Muslim Conference. The processionists carried the Tricolour flag of the Indian National Congress in front. After the populace reached Mujahid Manzil the tricolour flag of the Indian National Congress was hoisted upon the roof of the Muslim Conference headquarters.[59]

Muslim Opposition

Many of the Muslim leaders, particularly those from Jammu, were exasperated at the rapid developments which had occurred in Kashmir, after Sheikh Mohammad Abdullah and others were released from the prison. They were nervous about the rapid shift in the leadership of the Conference towards the Indian National Congress. They did not approve the change Sheikh Mohammad Abdullah and the other leaders in the Conference had made in their policies.

In April 1939, Jinnah in reply to an address presented to him by Muslim students from Kashmir at the Aligarh University, lashed out at Sheikh Abdullah and his supporters in the Muslim Conference. He blamed Sheikh Abdullah of having been ensnared by the Congress which was a Hindu organization and of having put the Muslims in the State in a whirlpool. He expressed the hope that Sheikh Abdullah would realise soon that those whom he considered to be his friends and at whose behest he was acting were not his friends but his enemies.

Among the Muslims, a powerful section of the leadership strongly disapproved of the move to secularise the politics in the State. The main opposition to the conversion of the Muslim Conference into a national organisation came from the Muslim leaders of Jammu. In Kashmir, conservatives led by Qureshi Mohammad Youssuf and Ghulam Nabi Gilkar disapproved of the reorganization of the Muslim Conference.

Chowdhry Ghulam Abbas and his supporters openly repudiated the principle of national unity and emphasised that Hindus and Muslims were two nations and Islam did not admit their integration into a social and political unity. He admitted that there could be political agreements with the Hindus for specific political objectives, as there had been political agreements between the Muslims and the infidels during the Caliphate but rejected categorically any permanent settlement with the Hindus or the Sikhs. Chowdhry Abbas, later wrote, in his biography, that he and his supporters made it abundantly clear that they would agree "only to permit the Hindus to join the Conference and nothing beyond." Abbas wrote that most of the issues were discussed in the open session of the Working Committee and the General Council of the Conference and Sheikh Mohammad Abdullah and his supporters accepted the terms they had laid down.

Within a few days, however, the two factions once again appeared to come close. The fear that Sheikh Mohammad Abdullah would break away from the Muslim Conference, frightened the leaders, who opposed the move to secularise politics in the State. They realised that they would not be able to face Sheikh Mohammad Abdullah who had now emerged as the most powerful of the Muslim leaders in the State. A settlement was finally reached between the two factions, and it was agreed that the Muslim Conference would be transformed into a secular organization on the following conditions :-

(i) that the proposed national organisation would continue the struggle for the specific grievances of the Muslims in political, economic and administrative matters.
(ii) the separate electorates would be retained;
(iii) Sheikh Mohammad Abdullah would not own Congress ideology and politics;

(iv) the Muslim League, which was the sole representative organization of the Muslims in India, would not be opposed in any manner;

(v) all the communities living in the State would participate in the joint struggle for freedom against the government of Ruler Maharaja Hari Singh; and

(vi) the proposed secular movement would struggle for the realisation of self-government.

The conflict and consequent confabulations inside the Muslim Conference did not remain a secret for long. The Kashmir Pandit leaders sharply reacted against the developments in the Conference and informed Sheikh Mohammad Abdullah and his supporters that no Hindu and Sikh would join the National Conference if the Conference was geared to Muslim communalism and the Muslim League. Sheikh Mohammad Abdullah, however, assured the Hindu and the Sikh leaders that the proposed national organization would struggle for the betterment of all the people in the State and would struggle for the realisation of a united and independent India. The Hindu and Sikh leaders exhibited considerable forebearance and agreed to join the Muslims in the national organization in spite of the powerful Muslim flanks inside the Conference which upheld Musim communalism. The Hindu leaders who were eager to help in the secularisation of politics in the State, realised that their reluctance would weaken Sheikh Mohammad Abdullah and other Muslim leaders who supported secularisation of the Muslim Conference. They visualised that once the Hindus and Sikhs joined the national organisation, their combined strength would outweight the influence of the Muslim irridentists, who would either be compelled to change their outlook or leave the organisation.

National Conference

A meeting of the General Council of the Muslim Conference was convened on April 25, 1939, to consider the resoluton of the Working Committee of the Conference adopted in June, 1938. On 26th April, the Council approved the resolution of the Working Committee and recommended amendments in the Constitution of the Muslim Conference inorder to unite "all progressive forces in the State." The General Council further resolved that a special session of the Conference be convened on 10th June, 1939, to consider recommendations, the Council had made. The

Council also constituted a Sub-committee under the presidentship of Ghulam Mohammad Sadiq to recommend necessary changes in the Constitution of the Muslim Conference.

The Sub-committee recommended the following amendments in the Constitution of the Conference:

i) that the name of the Muslim Conference should be changed to All Jammu and Kashmir National Conference;
ii) that the membership of the National Conference should be thrown open to all the people in the State, irrespective of caste, religion or creed;
iii) that the National Conference should be committed to the unity of all communities in the State, achievement of individual liberties for the people and the institution of responsible goverment;
iv) that the Conference should relinquish its control over the Muslim religious endowments and other shrines and vest the control of such endowments and religious places in a separate Muslim religious trust.

The Special Session of the Muslim Conference was convened in Srinagar on 10th and 11th of June. Ghulam Mohammad Sadiq was elected to preside over the Special Session.178 Delegates participated in the Session. In his presidential Address Sadiq told the delegates:

> "You know that by joining the All India States' Peoples' Conference the people in the State had become a part of the movement in India and had earned special consideration from the people in the Indian States. There is little doubt about the fact that Kashmir can give a lead to the people in five hundred and sixty one princely states. The decision which we take today will have its effect all over the country from the frontiers of Ladakh and Gilgit to Cape Comorin. From our own point of view, you are assembled here, not only to decide your own fate, but the fate of your future generations. God forid, if the elements of disruption and reaction, or your lack of foresight, leads to some prevarication, the consequences will have to be borne not only by us, but by our posterity as well. I am confident that each one of you, come here with earnest desire in his heart to exalt the nation, will take a decision which will bring glory to our country and will carry us to the goal of freedom, greatness and eminence."[60]

The resolution seeking the amendments in the Constitution of the Muslim Conference was moved in the Delegates Session by Maulana Syeed Masoodi. The resolution read:

> This Special Session of All Jammu and Kashmir Muslim Conference, which has been convened to consider the amendments in the name and the Constitution of this Conference approves the decisions taken by the General Council in its meeting held on April 27 and the resolution No.5 adopted by the Working Committee of the Muslim Conference in its meeting held on 28th June, 1938, and resolves that henceforth the name of the Conference shall be All Jammu and Kashmir Niational Conference.
>
> This special session furher resolves that every man and woman in Jammu and Kashmir shall be entitled to become the member of the National Conference irrespective of religion and creed, provided that the each such member accepts the achievements of individual liberty and the establishment of responsible government as his/her goal.
>
> The special session resolves that until the forthcoming annual session of the National Conference, the present members and office bearers of the Muslim Conference and the Delegates of this Special Session and the new members of the Sub-Committees shall be deemed to be the memers of the All Jammu and Kashmir National Conference and shall perform their duties in their respective capacities.[61]
>
> A long and heated discussion took place on the resolution and finally the resolution was adopted by an over whelming majority of 175 delegates in the Special Session. Only 3 Delegates opposed the Resolution.

Muslim Conference

Immediately after the Special Session, a number of leaders and cadres of the Muslim Conference, who opposed the reorganisation of the Muslim Conference, declared the action of the General Council of the Conference, illegal and claimed that the decision of the General Council and the Special Session did not represent the Muslim opinion.[62]

The dissidents held a separate convention in Srinagar on 13th of June 1939. The Convention repudiated the decisions taken in the Special

Session of the Muslim Conference and resolved to revive the Muslim Conference. Decision was also taken to invite all the Muslim leaders, including those of the Azad Muslim Conference to join hands with them and give a fight to the National Conference.[63] On 17th June, the dissidents and the opponents of the National Conference held another meeting in which a decision was taken to establish a unit of the Muslim League in Srinagar.

The dissidents opposed the reorganisation of the Muslim Conference and the secularisation of the Muslim movement in the State on the following grounds :[64]

i) the reorganisation of Conference would lead to the division among the Muslim;
ii) the Holy Quran did not permit the setting up of a common organisation, with non-Muslims;
iii) slogans of "Islam Zindabad" would not be permitted in a secular organisation;
iv) Mujahid Manzil would come under the possession of the Hindus;
v) Hindus would not offer their cooperation as their interests were linked up with the present Government;
vi) Gandhi and Nehru could not be the leaders of Muslims as they were enemies of Islam;
vii) Congress was leading the people towards agnosticism;
viii) Kashmiri Muslims could not afford to lose the sympathy of the Muslims of the Punjab;
ix) Muslims and Hindus were separate communities; and
x) Congress being a Hindu organisation, it would not support the Muslim Subjects in a Hindu State.

A number of people received injuries in the fracas and by the time the police reached Mujahid Manzil, the dissidents had run away and Ghulam Mohammad Bakhshi had taken over the possession of the building and pulled down the signboard of the Muslim Conference. Quareshi Yousuf and his supporters lodged a criminal case against Maulana Masoodi and Ghulam Mohammad Bakhshi.

In Poonch, Mirpur and Kotli, the local units of the Muslim Conference repudiated the resolution of the Special session and refused to accept the decision of the conversion of the Muslim Conference. The National

Conference leaders moved swiftly and dissolved the local committees and appointed adhoc committees of the National Conference in their place.

On 29 June, 1939, a huge public meeting of the dissidents and the other Muslim leaders who opposed the secularisation of the Muslim Conference, was held in the premises of the Jama Masjid in Srinagar. A resolution was adopted in the meeting which envisaged the formation of a Muslim League unit in Srinagar. The organisers of the meeting, Innayat-Ullah, a teacher from the Pubnjab, Abdul Aziz Mirpuri from district Mirpur in Jammu and Ashiq Hussain from Jammu, launched a vituperous attack on Sheikh Mohammad Abdullah. Immediately after the establishment of a unit of the Muslim League was announced in Jammu also.

Campaign For Secularism

The Working Committee of the National Conference was announced in the last week of June, 1939. The Working Committee was constituted of 21 members, all of whom were nominated by the President.[65] A decision was taken to elect the members of the General Council from the basic members of the Conference, when they were enrolled. The Working Committee had to be nominated because the members of the Working Committee could only be elected from among the members of the General Council which was yet to be constituted.

On 15th July, a meeting of the Working Committee of the National Conference was held at Mujahid Manzil in Srinagar. The Working Committee took a number of decisions pertaining to the ways and means of enrolment of members and the propagation of the ideals of the National Conference among the people of the State. The Muslim leaders, who had broken away from the Conference and joined the Azad Muslim Conference, had opened a virulent campaign of spite and villification against the National Conference and its leaders. Sheikh Mohammad Abdullah and his supporters realised the immensity of the possible damage they could suffer, if they did not educate the Muslim masses in the length and breadth of the State. The Committee decided to launch a campaign of education among people all over the State.[66]

In their meetings and addresses, the National Conference leaders emphasised that[67];

1) the objectives of the Muslim Conference were broad enough to encampass the interests of all the communities in the State and

therefore the formation of National Conference was a natural sequence to the formation of the Muslim Conference.

2) that the objectives and goals such as the freedom of speech and expression, freedom of association and assembly, freedom of faith etc. were secular in content and therefore their realisation would be easier in a secular and national movement.
3) It would not be in the interests of the Muslims to restrict the movement within the frame of the Muslim Conference. The time had come to broaden the movement and convert it into a secular and national movement aimed to secure the economic and political emancipation of not only the Muslims but all the people in the State.
4) The Muslim Conference has always demanded political and constitutional reforms and had opposed the domination of the state services by any one community in the State and demanded equal opportunity of employment for all communities in the administrative services. These objectives could only be achieved when the principle of equality and unity of all the communities was recognised and a united struggle of all communities was launched for the realisation of unity and equality.
5) The Muslim Conference movement had been branded by the Government as a "Muslim rebellion against the State" and this had provided the government a long handle to deal severely with the Muslim movement.[68] In one of his speeches, Sheikh Mohammad Abdullah said:- "In the Jammu province, the peasantry and the Harijans were steeped in misery and poverty as the Muslims in Kashmir were. These people were in the midst of a struggle for survival. The leadership of the Muslim conference was equally concerned about their emancipation, and deliverence from the plight they were in National Conference had paved the way for a common struggle against tyranny."

The closer collaboration that Sheikh Mohammad Abdullah and his supporters sought with the Indian National Congress, disenchanted the conservative Muslim leaders and cadres of the National Conference. Chowdry Abbas and the leaders from Jammu reacted against the statements and directives, Sheikh Mohammad Abdullah and his supporters gave to the rank and file of the Conference.

Chowdhry Abbas, Chowdry Hamidullah and most of the National Conference leaders from Jammu went to the extent of admitting that the Hindus and Sikhs had been allowed to join the Conference mainly to nutralise their resistence to the Muslim demands. They told their Muslim brothern that they had changed the name of the Conference and thrown its portals open to the Hindus and the Sikhs only to consolidate the Muslims in the State and secure to them the rights and privileges, the Muslim Conference had fought for. Abbas and the other Muslim leaders made no secret of their preference for the reforms which the Muslim Conference had demanded and which included, the abolition of the jagirdari system, restitution of proprietory rights in land, the consolidation of the Muslim middle class, the distribution of state employment in proportion to population of the various communities, in the reduction of punishment on cow slaughter and the amendment of the Hindu law of inheritance to remove restrictions on conversion.

The working committee of National Conference met on 2nd September, 1939. The major issues, which came up for discussion in the meeting were the federal Scheme, National Demand and responsible government and the dual membership of the Conference leaders and cadres. The working committee adopted a number of resolutions.

1. The Conference appealed to the British Government to grant independence to India.
2. The conference rejected the federal scheme for India, as no constitutional reform would be acceptable to the people in the Indian States which did not envisage responsible government in the States
3. The Conference reiterated the "National Demand" and sought to achieve" responsible government" in the State under the aegis of the Ruler.
4. The Conference resented the appeal made by the Ruler of the State to the Dogra Rajputs in the State to support the Allied war effort, ignoring the rest of the people in the State.
5. The Conference appealed to the State Government to provide equal opportunities for all communities in the State to services, scholarships and educational facilities.
6. The Conference demanded the resumption of the administration of the Jagir of Chinani by the State Government.
7. The Conference demanded the reduction in the expenditure on the Civil List and the reduction in the salaries of the State officials in order to effect savings for the purposes of the economic development and the industralisation of the state.
8. The National Conference protested against the accesses perpetrated by the State officials on the people during the "Responsible Government" agitation of August, 1938.

The General Council of the National Conference was convened on 3rd September, 1939. The Council approved the resolutions of the Working Committee. The Council decided to hold the Annual session of the National Conference on 30th September, 1939. Sheikh Mohammad Abdullah was elected the President of the session. The General council also took a decision about the flag of the National Conference. During the Stormy days of the conversion of the Muslim Conference, the Muslim leaders had agreed upon the suggestions of Kashyap Bandhu to adopt the flag of the Indian National Congress. The flag had been hoisted on the National Conference headquarters at Mujahid Manzil in Srinagar. However, it had later been abandoned on the remonstrations of Chowdhary Ghulam Abbas, who had opposed the adoption of the Congress flag on the plea that the Muslims in Jammu disfavoured the adoption of the Congress flag. A controversy had ensued and the issue came up for the consideration of the General Council. Prem Nath Dhar, a member of the Committee suggested the Conference to adopt a red flag with a Chinar leaf embossed on it. The suggestion was unanimously adopted. Lala Roop Lal Vakil, another member of the Working Committee, who hailed from Poonch, suggested that the emblem of the Chinar leaf be replaced by a plough. This suggestion was also adopted by the General Council. The same day, a red banner with a plough in white embossed on it, was hoisted on the National Conference headquarters at Mujahid Manzil.

Constitutional Reform 1939.

On 7th September, 1939, the Ruler of the State repealed the Constitution Act of 1934, and promulgated a new Constitution Act. The new Constitution Act was aimed to provide a further measure of constitutional reforms in the State.[69]

In its broad structure, the Constitution did not change substantially the provisions of the Constitution of 1934. The powers reserved by the Ruler under the Constitution of 1934, were retained by him. No change was provided for, in the composition, appointment and the tenure of the Council of Ministers.

The Constitution Act provided for the following changes in the composition of the powers and the powers of the Praja Sabha:

(i) The number of elected members in the Sabha was raised from thirty-three to forty. However, seven of these members were to be elected by Special Constituencies, representing Tazimi Sardars, land-grantees, like Jagirdars, Maufidars, Mukararidars, land-holders and pensioners. No change was made in the number of nominated members of the Sabha. The number of official members was reduced from fifteen, as provided for by the Constitution Act of 1934, to eight.[70]

(ii) With regard to the legislative powers of the Sabha, the Constitution Act of 1939, did not make any improvement in the provisions of the Constitution of 1934, but the new Constitution Act vested certain substantial financial powers in the Praja Sabha[71].The Council of Ministers was required to present before the Sabha the Annual Financial Statement of revenues and expenditures in which "expenditure charged upon the revenues of the State" and the "expenditure proposed to be met from the revenues of the State" were sown separately. The Sabha was empowered to vote on the "Expenditures proposed to be made from the revenue of the State" were classified as the expenditures on rreserved subjects, expenditures incurred by the Ruler or the Council as political expenditures, expenditures obligatory under law, contributions payable to other Governments, interests on loans and sinking fund charges, salaries of the judges of the High Court and the members of the Board of Judicial Advisers and such other expenditures as were specified from time to time. The Prime Minister of the State was vested with the powers to determine whether any expenditure was "charged on the revenues of the State". Powers were also reserved by the Ruler to himself to authorise such expenditures as were found necessary for the safety and tranqulity of the State. The Council of Ministers was also vested with the powers to authorise demands which the Sabha refused to pass in case that was found necessary for the conduct of the administration in the State.[72]

(iii) The Act provided for the consolidation of the law relating the High Court and the appointment of a Board of Judicial Advisors to advise the Ruler in all cases of appeal preferred to him.[73]

(iv) The Constitution Act did not provide for any change in the extent and nature of franchise and the distribution of the electorates.

The National Conference leadership, criticised sharply the provisions of the Constitution Act, and alleged that the Constitution Act did not provide for any effective the Constitutional and administrative reforms. The National Conference leaders alleged that the Constitution Act did not underline any transfer of authority to the people, or the introduction of any measure of responsibility in the processes of the State government. The Conference leaders assured the Ruler of the State, that they were not opposed to the Ruler of the State, but demanded substantial transfer of power to the people. The Conference leaders emphasised that the constitutional reforms which did not envisage any substantial measure of responsibility in the processes of the State Government, would not be acceptable to the Conference. The Conference leaders criticised the increase of the elected members of the Sabha to 40, on the ground that the seven additional elected seats would be filled in, on the mandate of the Tazimi Sardars, Jagirdars, Mukararidars land-holders, Pensioners and other retainers of the State. The Conference leaders, though they appreciated the increase in the financial powers of the Praja Sabha, strongly disapproved the stranglehold, which the Council of Ministers and the Ruler of the State, continued to exercise on the organisation and function of the Praja Sabha.[74]

The Muslim leaders of the Azad Muslim Conference and the Muslim League Unit in the State were more critical of constitutional reforms envisaged by the Constitution Act of 1939, and claimed that the Constitution Act did not provide for the introduction of responsible government in the State would satisfy the Muslims in the State who within the existing constitutional provisions did not have any opportunities of political participation and therefore, were rendered politically subservient to the Hindus in the State.[75]

National Conference Session

The first general session of the national Conference was held on 30th September, 1939 at Sarnal, a township in the district of Anantnag. The session lasted for two days, and ended on 2nd October, 1939[76].Sheikh Mohammad Abdullah was elected the president of the Conference.

In his presidential address, Sheikh Mohammad Abdullah declared unequivocally that the national unity, national liberation and liberalisation of the political institutions in the State. He pointed out that the National Conference aimed at the unity of all the oppressed, the down trodden and exploited masses in the State.

> "The unity which we aim at is the unity of the people whose miseries and troubles are similar and when we claim that the unity of Hindus, Muslims and the Sikhs is essential, we refer to oppression and

> exploitation. It is never possible to forge unity between the exploiters and the exploited whatever their religious prossions are."[77]

Sheikh Mohammad Abdullah supported openly the movement for political reforms in the Indian States led by the All India States' Peoples Conference and called for the consolidation of the movements in all the Indian States' to liberate the people from tyranny and oppression. Sheikh Mohammad Abdullah observed:

> "With the awakening of the people in the State, there is no reason why the States should not be made masters of their own fate. The best line open to the State Subjects is to learn to stand on their own legs."[78]

In the conclusion of his address Sheikh Mohammad Abdullah insisted upon the major principles on which the movement for political reforms in the State could be based. These were :[79]

1. Unity and solidarity of all the communities in the State and a fraternal movement for the liberation of all the people in the State;
2. Consolidation of all secular forces in the State;
3. The delimitation of the goals of the peoples' movement and the determination of the operational methods for their achievement.

In its open session, the Conference adopted resolutions which had been passed by the General Council earlier. Pandit Prem Nath Bazaz moved the two major political resolutions; the first envisaged the appeal to the British Government to grant 'Swaraj' to the Indians and the second resolution envisaged a request to the Ruler of the State to introduce responsible government in the State.[80] The Conference further adopted the following resolutions:-

1. "The Jammu and Kashmir National Conference ratifies the document known as Naitional Demand issued by several leaders of Jammu and Kashmir.[81]
2. "The Jammu and Kashmir National Conference decides that the National Flag for Jammu and Kashmir State will be of red colour with a sign oif plough inscribed in its centre."[82]
3. "The Jammu and Kashmir National Conference is of the opinion that although it is not against a scheme of Indian federation in which peoples of the Indian States would enjoy full powers and

representation by election yet it wants to make this fact plain in clearest possible language that no such scheme will be acceptable which has not been adopted after discussion and exchange of views with the State's people and unless such responsible government has been introduced in the State as is envisaged in our National Demand. This Conference is further of opinion that now when the Federal Scheme has been postponed by His Excellency the Viceroy of India due to unusual circumstances this scheme will be replaced by another scheme in which the aspirations and demands of the States people are duly honoured."[83]

4. "In view of the fact that the British Government and their allies claim that the present war is being fought only to protect democracy and make it secure, the Jammu and Kashmir National Conference is of the opinion that in order to make this claim effective it is necessary that the existing irresponsible forms of administration in the Indian States should be substituted by such forms of Government as will be responsible to the people. The Conference appeals to His Highness, to kindly issue commands for the establishment of Responsible Government in this State in the near future in an unambiguous and unconditional terms."
5. "The Jammu and Kashmir National Conference appreciates the intention behind the statement issued by the Working Committee of the National Conference regarding the present European war and the policy of the British Government towards political aspirations of the Indian nation. The Conference totally agrees with the views and opinion expressed in the resolution regarding democracy and international politics. Before finally deciding about participation or otherwise in the war the Congress will not rest assured or satisfied unless the introduction of Responsible Government in the Indian States is accepted by the British Government and promised by the Ruler of the State."
6. The Jammu and Kashmir National Conference is of the opinion that Poonch Illaqa is an inallienable part of the Jammu and Kashmir State and the progress and welfare of the peoples living in the Kashmir province, Jammu province and Poonch are interconnected. The present dual administration in Poonch is the source of great trouble to the people there and must therefore be ended. In order that the differences which arise from time to time regarding the Poonch politics may come to a close and the administration of that Jagir may be brought on the same level as

in rest of the State. This Conference demands that an Enquiry Commission, composed of official and non-official members, presided over by an impartial man, be appointed by the Government of Jammu and Kashmir to report on the ways and means of ending this form of administration."

7. "This Conference after having gone through the appeal that has recently been issued by His Highness to the Dogra and Rajput sections of the people is of the opinion that the appeal if at all it was necessary to issue is apt to raise provincial and racial issues which should be the earnest endeavour of all well wishers of humanity to avoid. It credits certain sections of the people of Jammu and Kashmir State with those qualifications which are not peculiar to the above but are shared with them by other sections of the people in a great degree. This Conference makes a demand in most emphatic terms of the Advisors of His Highness that they should always take correct stock of the existing circumstances and never by a party to imparting such advice as is responsible for the issuing of such an appeal as the present and which has in the natural order of things causued a lot of righteous indignation in the minds of the non-Dogra and non-Rajput sections of the people."
8. "This Conference is painfully aware of the appalling unemployment obtaining amongst the people in the State and also is of the opinion that this problem cannot be successfully tackled as long as the definite scheme of industrialisation can successfully work in the State as long as sufficient finances are not made available by the Government. But under the existing top-heavy administration it is not possible to expect any finance being made available by the Government, it therefore resolves that an effectivie reduction be made in the State as long as sufficient finances are not made available by the Government. It therefore resolves that an effective reduction be made in the salaries of higher appointments in the State and in this connection it makes bold to make a humble request to His Highness also to be pleased to forego a portion of the Civil List so as to set an example for other officers in the State for whom the resolution is meant."

The open declaration and pronouncements of the Conference leaders exasperated the conservative elements in the National Conference and the Muslim cadres of the Conference in Jammu who were led by Chowdhry

Ghulam Abbas Khan. Chowdhry Abbas voiced his feelings openly and conveyed his disapproval of the policies the Conference leaders followed. Chowdhry Hamidullah, who led the Conference Parliamentary party in the Praja Sabha, sulked away and openly declared that he would severe his connections with the National Conference.

The Split.

In the first week of October rumours spread that Chowdhry Hamidullah, the leader of the National Conference Parliamentary party in the Praja Sabha, along with the other National Conference members of the Sabha had decided to leave the Conference and form a separate group in the Sabha. Sheikh Mohammad Abdullah hurried to deny the reports of the resignation of the members of the Sabha. Chowdhry Hamidullah was a committed supporter of the Muslim League and had supported the National Conference only afte Sheikh Mohammad Abdullah and the other National Conference leaders had undertaken not to lean towards the Indian National Congress, and not to oppose the All India Muslim League.

Chowdhry Ghulam Abbas was, however, persuaded to withdraw his resignation by Bakshi Ghulam Mohammad. Chowdhry Abbas complained :

1) the National Conference was losing ground among the Muslims because of its having abandoned the objective of the emancipation of the Muslims;
2) Sheikh Mohammad Abdullah and his supporters had violated the agreement reached with regard to the distribution of the office bearers of the Conference and the members of the Working Committee;
3) Sheikh Mohammad Abdullah and his supporters had committed the Niational Conference to the Indian National Congress, which was in clear violation of the agreement which had been reached between the Jammu leaders and Kashmir leaders before the conversion of the Muslim Conference into National Conference;
4) National Conference had come under the influence of the Government and the Hindus of the State;
5) National Conferencne had abandoned the objectives of the Muslim Conference, which the National Conference leaders were committed to achieve at the time of the conversion of the Muslim Conference into National Conference.

The rift in the National Conference, however, continued to deepen and as the leanings of the supporters of Sheikh Mohammad Abdullah towards the Congress became more pronounced the conservatives and the supporters of the Muslim League drew away from them. Chowdhry Ghulam Abbas, Chowdhry Hamidullah and Allah Rakha Sagar from Jammu and some other members of the National Conference from Kashmir, quietly prepared to leave the National Conference with their cadres and supporters.

The simmering distrust in the Conference came to surface in March 1940, when the Muslim League adopted the 'Pakistan Resolution' and asked for a separate homeland for the Muslims in India. The 'Pakistan Resolution' was a momentous decision. The senior leaders of the National Conference, including Chowdhry Abbas, Chowdhry Hamidullah, Allah Rakha Sagar, and dissidents of the Muslim Conference, who had refused to accept the secularisation of the Muslim Conference, acclaimed the resolution of the League and pledged their support to the struggle for a separate homeland for the Indian Muslims. Immediately after, they left the National Conference.

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Quest For Pakistan

The annual session of the All India Muslim League was held in Lahore from 21st of March 1940. On 22nd of March, the League adopted the momentous resolution envisaging the creation of a separate independent State for the Muslims in India. In the resolution the Muslim League declared that "no constitutional plan would be workable in this country or acceptable to the Muslims" unless it was designed on the basic principles that "geographically contiguous units are demarcated with regions which would be constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority as in the North-western and Eastern zones of India, should be grouped to constitute, independent state in which the constituent units shall be autonomous and sovereign."[1] President of the All India Muslim League, Mohammad Ali Jinnah, while speaking in the session, observed :-

> "The problem in India is not of an intercommunal character but manifestly of international one, and it must be treated as such. So long as this basic and fundamental truth is not realised, any Constitution that may be built will result in disaster and will prove destructive and harmful not only to the Musalmans but to the British and Hindus also. If the British Government are really in earnest and sincere about the peace and happiness of the people of this sub-continent, the only course open to us all is to allow the major nations separate homelands by dividing India into autonomous national states."[2]

The resolution for the division of India and the creation of a separate homeland for the Muslims in India brought to surface the simmering communal conflict in the country. For the proposed separate Muslim State the League leadership adopted the name of Pakistan, which had actually been conceived by the Muslim leaders long before the League adopted the Pakistan Resolution. In fact the Muslim leaders inside the League and outside had for a long time been fiddling with the idea of a separate homeland for the Muslims in India.

The League had organised a Muslim States People's organisation, called the "All India States People's Muslim League". The States Muslim League was aimed to coordinate the Muslim movements in the Indian States with the movement led by the Muslim League. A session of the States Muslim League was held in Lahore during the days the Muslim League session was being held. Nawab Bahadur Yar Jung was elected the life President of the States Muslim League. The Nawab was an influential retainer of the Ruler of Hyderabad who had been working for the British in Hyderabad State and was deputed by the Ruler of Hyderabad to work as a liaison between him and the Muslim League leaders.

The States Muslim League rejected the federal scheme envisaged by the Government of India Act of 1935, and announced that only such a scheme of Constitutional reform would be acceptable to the Muslims which recognised the claim of the Muslims to a separate national and independent Muslim State in the Muslim majority areas. The States Muslim League endorsed the Muslim League resolution demanding the division of India and the creation of separate homeland for the Indian Muslims. The States Muslim League called upon the Rulers in the States to liberalise the administration in their States and specifically called for political and economic reforms in Jammu and Kashmir state, where according to the States League, the vast masses of the Muslim population were subject to severe repression[3] in the state were a part of the Muslim nation in India and supported the realisation of a separate Muslim nation in India.[4] Sheikh Mohammad Abdullah who was already in Lahore, attended the States' Muslim League Session as a visitor.

Chowdhry Ghulam Abbas and the other Muslim leaders from Jammu waited upon Jinnah and had many meetings with the other Muslim League leaders in Lahore. The State leaders were castigated by the League leaders for having acquiesce in the dissolution of the Muslim Conference and having permitted Sheikh Mohammad Abdullah and his supporters in Kashmir to have affiliated the national Conference with the All India States' People's Conference and thus having pushed the Muslims of Kashmir into the Congress fold.[5] The League leaders made it amply clear to the Muslim leaders of the State, that a "new battle" had begun for the realisation of Pakistan of which Jammu and Kashmir State was an integral part because of its overwhelming Muslim population. The League leaders explained to the Muslim leaders of the State that struggle for any constitutional reform in the State's had in the new context of the "battle for Pakistan" been rendered redundant. The Muslims of India were no longer seeking any constitutional reforms but their sole aim was to achieve a separate homeland for the Muslims in India. Constitutional reforms would follow once the Muslims were secured a State of their own. They advised the Muslim leaders of the State to organise the struggle for the realisation of the separate Muslim nation in India in which the "Kashmiri Muslim would have a place of pride."[6]

Pakistan Resolution

The Muslim League session at Lahore and the demand for a separate homeland for the Muslims was the most stupendous development in the history of the Muslims in India. The Lahore session completely changed the perspective of the Muslim movements in India. The resolution for Pakistan gave a new direction to the politics of the League, and offered the Indian Muslims an independent Muslim State, which in effect promised them deliverance from the predicament of being a minority.

The Lahore Session changed the League strategy and the League abandoned the negative policy of securing the Muslim minority against the Hindu majority, and instead adopted a policy of positive thrust for the emancipation of the Muslims in India from the British as well as the Hindus. In its struggle against the Hindus in India the Muslim League had heavily depended upon the British and in course of time identified itself with the British. Politically, the League had been contained within the trappings of the British imperialist interests. The Pakistan resolution introduced into the Muslim movement a revolutionary element. The Indian Muslims found a rationale for their struggle in the emancipation from the British colonialism as well as the Hindu domination which they feared most. Implicit in the Pakistan resolution was a new religious and political theme. The Muslim League opted for a national homeland for the Muslims in India and the British acclaimed it as the genuine expression of the aspirations of the Muslims in India. The Demand of the Muslims for a separate national homeland in India became the national demand of the Indian Muslims. The Congress failed to resist its widening influence.

The resolution for Pakistan had a deep impact on the political movements in Indian States. The Muslim movements in the Indian States no longer symbolised the resistance of Muslim minorities in India, but came to symbolise the struggle for a Muslim homeland in India. It is in this perspective that the Presidential Address of Nawab Bahadur Yar Jung to the State Muslim League assumed relevance. Muslims in the Indian States were advised to abandon their struggle to secure themselves against the Hindu dominance in any future constitutional structure, which was evolved for India. Instead, whether they formed the ruling minority in the State or a ruled majority, they were called upon to organise for the common struggle for a separate Muslim homeland.

The issue that confronted the Muslim leaders both inside the National Conference and outside, was no longer whether they participated in the struggle for political reform in the State or sought for the Muslims a place of precedence in the State. The basic question which accosted them was whether they accepted the separate homeland for the Muslims in India, particularly when they had greater claim to it because they constituted more than seventy percent of the population of the State[7]. The entire process of the Muslim movement against the Dogras and the struggle of the National Conference for responsible government in the State suddenly fell into background. Such issues retained their relevence only in the context of a united India and lost their meaning in the face of the demand for a separate Muslim homeland. The entire edifice of the National Conference faced a sudden and severe challenge.[8]

After his return to Kashmir Sheikh Mohammad Abdullah, in a series of lectures and statements, rejected the resolution for Pakistan and the Muslim League demand to divide India.[9] His main arguments were:

i) that the division of India on communal basis would destroy the Indian nation and bind the Indian people to further servitude:

ii) the division of India would aggrevate the communal situation in India;

iii) that the division of India and the separation of the Muslim majority areas was unnatural and against the interests of the Muslims in India and the Indian States;

iv) the question of Hindu princely States and Muslim princely States should not be raised;

v) the claim that Hyderabad was a Muslim State and there was no need of any constitutional reforms, was an untenable argument and the people in Hyderabad deserved self-rule as much as the people in Kashmir did;

vi) the struggle for the introduction of responsible government in the Jammu and Kashmir State was not in any way aimed against the Ruler of the State or did not demand any curtailment of his prerogatives and powers.[10]

The Muslim leaders who supported the League, flustered at the pronouncements of Sheikh Mohammad Abdullah, launched a virulent campaign against Sheikh Mohammad Abdullah and the other Muslims leaders in the National Conference who supported him. They charged Sheikh Mohammad Abdullah of having received large sums of money from the Congress leaders and having "sold the Muslim movement to the Congressmen"[11] They blamed Sheikh Mohammad Abdullah of having betrayed the Muslims in their quest for nationhood. They charged the National Conference leaders of operating in collaboration with the Congress leaders to perpetuate the Hindu dominance over the Muslims in the State.[12]

Sheikh Mohammad Abdullah took advantage of his popularity among the Muslims of Kashmir and mounted a counter offensive against the supporters of the Muslim League of using the League Resolution to give invidious support to the State Government against the national movement in the State. He charged the Muslim leaders of having joined the agents of the State Government to seek jobs in the administration and appease the British imperialist agents. The National Conference rejected the demand for Pakistan and held that the demand of Pakistan would prove destructive of the Indian Muslims. Sheikh Mohammad Abdullah alleged that Pakistan was used as a lever to defeat the purposes of the national movement in India. "Separate Muslim homeland in India was untenable and impracticable and would never come into existence."[13]

The League resolution affected the rank and file of the National Conference. The Muslim leaders and cadres of the Conference from Jammu, led by Chowdhry Ghulam Abbas, Chowdhry Hamidullah and a smaller section of the cadres of the Conference in Kashmir repudiated the stand taken by Sheikh Mohammad Abdullah and his supporters and committed themselves to support the League resolution for Pakistan. Most of the Muslim leaders and the followers of the National Conference in the districts of Poonch and Mirpur also joined their coreligionists in Jammu in support of the demand for the separate homeland for the Indian Muslims.[14]

Congress Leaders visit to Kashmir

During his stay in Lahore in March, 1940, Sheikh Mohammad Abdullah invited Jawahar Lal Nehru and Abdul Gaffar Khan to visit Kashmir. It was decided that Nehru and the other Cogress Leaders would come to Kashmir in May, 1940. In the last week of April, the National Conference constituted a Reception Committee, headed by Sardar Budh Singh to finalise arrangements for the reception of the Congress leaders. During the Working Committee meeting Kashyap Bandhu and Jia Lal Kilam brought to the notice of National Conference leaders their distrust about the pronouncements the Muslim leaders of the National Conference had made after the League adopted the Pakistan resolution. Tempers ran high and Kashyap Bandhu Jia Lal Kilam submitted their resignations. However, in the next two or three days, the differences were resolved and the Hindu leaders withdrew their resignations.[15]

Nehru and Gaffar Khan reached Srinagar on 19th May 1940. They were carried in a procession of boats over the Jehlum flowing through the heart of the city. As the procession of the boats wound up its way up the river the Muslim Conference workers and supporters pelted brickbats and stones on the boats carrying the Congress leaders. At a number of places violent clashes occurred between the National Conference volunteers and the demonstrators and the troops were called out to intervene.[16]

While Nehru and Gaffar Khan were in Srinagar, the Muslim Socialist Party, which supported the Muslim League, circulated a seven point formula which they declared they would present to Pandit Nehru to "test his commitments to nationalism"[17]. They declared that they would be convinced of Nehru's claims to nationalism if he accepted the formula and offered to join the National Conference if Nehru accepted the formula.

The seven-point formula stipulated:-

1. abolition of prohibitory laws relating to cow-slaughter;
2. implementation of all the recommendations of the Glancy Commission;
3. institution of responsible government in the State;
4. abolition of landlordism and liquidation of indebtedness;
5. Muslim representation in the State services according to the ratio of their population.

6. preferential treatment for the Muslim who did not have High School Certificate over the Hindus who had High School Certificates in the appointment in the State serice; and
7. amendment of the Hindu personal laws relating to inheritance in order to remove the disabilities operating on the conversion from Hinduism to any other faith[18].

The seven-point formula was printed on the posters which were posted all over the city of Srinagar. A copy of 'seven-point formula' was sent to Pandit Nehru.

On 30th June, a huge public meeting was organised by the National Conference in Huzuri Bagh in Srinagar in which they presented an address of welcome to the Congress leaders. In his address of welcome, Sheikh Mohammad Abdullah declared that the National Conference "had thrown its lot with the freedom loving people of India and decided to fight all forms of colonial dominance as well as all forms of exploitation.[19] He stated that National Conference was committed to the unity of India and the Indian freedom. He rejected any demands for a separate State for any religious or regional community in India.[20]

Just after the address of welcome had been presented to the Congress leaders, a strong contingent of the cadres of the Muslim Conference, Muslim Socialist Party and the State Muslim League, which was mixed up in the assemblage, attempted to come on to the dias and at one time snatched the microphone on the rostrum. The National Conference volunteers over-powered the intruders and chased them away. The State Government had posted troops all over Srinagar and most of the intruders were quickly put under arrest.[21]

In their speeches the Congress leaders acclaimed the efforts of the leaders and the cadres of the National Conference to forge a national struggle for freedom in the Jammu and Kashmir State. They also acclaimed the movement organised by the Congress leaders for responsible government in the State and realisation of the basic civil and political rights for the people of the State. Both Khan Abdul Gaffar Khan and Pandit Nehru declared that the people in India, "whether they were Hindus or Muslims or Sikhs" and "whether they lived in British India or the State were one nation". "India was one and indivisible". Nehru declared.[22]

Both Nehru and Gaffar Khan declared that the liberation of India from the British "would not mean the replacement of the British rulers and officers by Indian rulers and officers, but would envisage the tansfer of political power to the people in India".[23] The congress leaders assured the National Conference that the Indian people stood with the people of the State in their quest for freedom.[24]

On 2nd June, Nehru and Gaffar Khan addressed a mammoth gathering of Kashmiri Pandit Yuvak Sabha in Srinagar. Nehru called upon the Kashmiri Hindus to widen their outlook and join the movement led by National Conference for political reforms in the State. Nehru's warning shook the entire Hindu community in Kashmir. The strong support the Congress leaders extended to the National Conference went a long way to strengthen the position of the Conference in the State.[25]

Inside the Conference, the visit of the Congress leaders deepened the schism between Sheikh Mohammad Abdullah and his supporters who had extended unequivocal support to the Congress leaders and the conservatives led by Chowdhry Abbas Khan, Chowdhry Hamidullah Khan and Allah Rakha Sagar, who opposed alignment of the National Conference with the Congress and in fact, wanted the National Conference to support the Muslim League.[26] Chowdhry Abbas was the most influential Muslim leader of the National Conference from Jammu and second only to Sheikh Mohammad Abdullah. Chowdhry Hamidullah was the leader of the National Conference Parliamentary party in the Praja Sabha. Shortly after the Congress leaders left Srinagar, Chowdhry Hamidullah announced his dissociation from the Conference Parliamentary Party in the Praja Sabha. With him, ten of the twentyone members of the National Conference Parliamentary Party in the Praja Sabha, left the National Conference.

National Conference Annual Session

In September 1940, the National Conference held its annual session at Baramulla, a suburban town in the Kashmir province. The session began on 27th September 1940. Sardar Budh Singh was elected the President of the Conference for the session.[27] Budh Singh's presidential address was the testament of a revolutionary and a reformer. In his address, Budh Singh elaborately discussed the major economic and political issues which faced the people of the State. Budh Singh made a direct reference to caste disabilities, Hindu-Muslim question, communalism, corruption in the State administration, cow-protection, scarcity of food grains and the freedom movement in the State. Budh Singh pointed out in his address that these problems could not be remedied unless the State Government was drastically recognized and responsible government was instituted in the State.[28]

In the open session of the Conference Sheikh Mohammad Abdullah moved the major political resolution which envisaged the demand for the institution of responsible government in the State.[29] Prem Nath Bazaz moved another momentous resolution, which demanded that all agricultural land be transferred to actual tillers of the soil.[30] Both the resolutions were adopted by the Conference unanimously. Mirza Afzal Beg moved the resolution which envisaged the demand that the land revenue be fixed on the basis of the principles on which income tax was levied, so that the poorer peasantry would get relief from the payment of exorbitant land revenue and other taxes imposed on land produce.[31] Mian Ahmad Yar Khan, proposed modification in grazing tax rules.[32]

The Conference, tactfully avoided to make any commitment on the issues which the League resolution for Pakistan had raised. The Conference deliberately avoided to commit itself to the Congress ideals of the unity of the Indian people and the Indian independence from the British rule. After the League had adopted the Pakistan resolution in March, 1940 Sheikh Mohammad Abdullah and the other leaders of the National Conference had in a long series of speeches and statements rejected the League demand for a separate homeland for the Indian Muslims and after Nehru and Gaffar Khan had come to Kashmir, the Conference leaders had consistently supported the realisation of a united India and the Indian independence from the British. By the time, the annual session was held, a number of powerful Muslim leaders of the National Conference had abandoned the Conference and the Conference leaders were cautious in their commitments in order to avoid further fall out of influential Muslims from the Conference. The League resolution for Pakistan and the religious appeal on which it was based, was a formidable challenge, the Muslim leaders in the National Conference had come to face.

Script Controversy

In October 1940, the Government issued a special ordinance which provided for the introduction of two scripts : the Dev Nagri script and Persian script in the schools of the State for the purpose of reading and writing. The ordinance envisaged :

"The medium of instruction in the schools would be Urdu, but for the purpose of reading and writing, both Persian and Dev Nagri scripts be given equal place as scripts in the schools."

The introduction of the Persian and the Dev Nagri scripts in the schools generated a heated controversy. The Muslim Conference and the Muslim Socialist Party and the State unit of the Muslim League condemned the decision of the Government to introduce the Dev Nagri script. Moulvi Yousuf Shah alleged that the introduction of the two scripts in the schools of the State would ultimately widen the difference between the Hindus and the Muslims. Yousuf Shah also alleged that the two scripts would adversely hamper the trade and commercial links between the Hindus and Muslims. Moulvi Yousuf Shah also expressed the fears that the introduction of the two scripts would block the recruitment of the Muslims in the teaching staff of the schools because most of the Muslims did not know the Dev Nagri script.

The Muslim leadership of the National Conference also opposed the introduction of two scripts in the schools of the State. They opposed the introduction of the Dev Nagri script in the schools on the ground that since few of the educated Muslim youngmen were conversant with the Dev Nagri script, the Muslims would, by and large, suffer in seeking employment in the teaching services of the State.[33]

The Hindu leaders, among them particularly Prem Bazaz, Kashyap Bandhu, Jia Lal Kilam and Girdhari Lal Anand reacted sharply against the Muslim leaders in the National Conference and acclaimed the steps the Government had taken to introduce the Dev Nagri script in the schools in the State. They accused the Muslim leaders of the Conference of having given expression to their communal feelings. They expressed resentment against the statements the Conference leaders had made.[34]

While the script controversy was still raging, Chowdhry Hamidullah, the leader of the Muslim Conference in the Praja Sabha introduced a resolution in the Sabha seeking the retrenchment of the Hindus from the State services and reservation of such services for the Muslims of the State. The Sabha burst into a furore.[35]

From the National Conference group in the Praja Sabha, most of the Muslim members supported the resolution. Moulvi Ghulam Mustafa

Masoodi, a National Conference member of the Sabha launched a vituperative attack on the Government and the Hindus and alleged that the Kashmiri Pandits had dominated the administration of the State. Moulvi Mustafa supported Chowdhry Hamidullah in his demand for the retrenchment of the Hindus, particularly the Kashmiri Pandits from the services of the State and the employment of the Muslims in their places. Girdhari Lal Anand, a member of the Working Committee of the National Conference, and some other Hindu and Muslim leaders of the National Conference were present in the gallaries of the Praja Sabha and listened to the spirited attack, the National Conference members of the Sabha made on the Hindus.[36] Prem Nath Bazaz, Kashyap Bandhu, Rughnath Vaishnavi, Girdhari Lal Anand and other Hindu leaders in the National Conference openly condemned the support the National Conference had lent to the resolution moved by the Conference leaders in the Sabha.

On 7th October, the State Government enacted the Jammu and Kashmir Arms Act. The Arms Act was actually a precautionary measure which sought to control the possession of fire arms.[37] The major Communities in the State which possessed arms were the Muslims in Poonch and Mirpur, the Dogra Rajputs of the Jammu province, the Muslim Rajas and Jagirdars in the Kashmir province and the tribals inhabiting the Dardic dependencies around Gilgit. After the outbreak of the World War, particularly after the Japanese advanced in China the Government as well as the British Residency, considered it necessary to provide for the control of the arms in the State. The Residency officials had also drawn the attention of the increasing influence of the Communists in the State politics, Hari Singh had his own fears about the perculation of the arms among his subjects, particularly the Muslims in the Jammu province. The Act prohibited the possession of all fire arms in the State. The Dogra Rajputs were, however, saved from the operation of the Act.

The National Conference opposed the Arms Act and demanded that all the communities in the State should be given the right to possess arms. The Conference leaders accused the Government of taking steps to dispossess other communities of their arms. The National Conference alleged that the arming of Rajputs was aimed to intimidate the Muslims in the State.[38]

The Arms Act raised a fresh controversy in which the Hindus were once again cast against the Muslims. The Hindus supported the Arms Act and the regulation of the arms in the State. The Muslims on the other hand, demanded the right to possess arms on the ground that the Hindu Rajputs had been permitted to do so.[39]

Revival of the Muslim Conference

During the early months of 1941, influential Muslim leaders in the State sought to revive the Muslim Conference. Sardar Gauhar Rehman, a senior Muslim leader, who had abandoned the Muslim Conference after its conversion into the National Conference, toured the length and breadth of the State and pleaded for the consolidation of the Muslim Conference. Gauhar Rehman appealed to the leaders of the Muslim Socialist Conference, the Muslim League units in Jammu and Kashmir and the Muslim Conference which had been reorganised by Moulvi Yousuf Shah and his supporters to close their ranks and help in the revival of the erstwhile Muslim Conference in the State.[40]

A joint delegation constituted of Qureshi Mohammad Yousuf, Mohammad Ismail Sagar and Ghulam Mohi-ud-Din Rahabar, was deputed to go to Jammu to met Chowdhry Ghulam Abbas and negotiate with him the merger of the different Muslim organisations in Jammu and Kashmir in one single Muslim organisation. Chowdhry Abbas had personal animosity with Gauhar Rehman and refused to accept the unity moves the latter had initiated. He also opposed the participation of Moulvi Yousuf Shah and his supporters in the proposed united Muslim Conference. Abbas was deeply distrustful about Muslim leaders of Kashmir. The Muslim leaders, notably, Qureshi Mohammad Yousuf, Abdul Salam Dalal, Ghulam Mohi-ud-Din Rahabar, Allah Rakha Sagar, Chowdhry Abdullah Bhalli finally succeeded in pursuading the Muslim leaders and factions to reorganise the Muslim Conference. In June, prominent Muslim leaders of Jammu, among whom were Chowdhry Ghulam Abbas, Chowdhry Hamidullah, Allah Rakha Sagar and Abdul Majid Qureshi arrived in Srinagar. A series of meetings were held between the Muslim leaders among whom were Chowdhry Ghulam Abbas, Chowdhry Hamidullah, Abdul Majid Qureshi, Allah Rakha Sagar from Jammu and Mirwaiz Moulvi Youssuf Shah, Qureshi Mohammad Yousuf, Mohi-ud-Din Rahabar and Abdul Salam Dalal from Kashmir. Agreement was finally reached to revive the Muslim Conference. The revival of the Jammu and Kashmir Muslim Conference was announced on the morning of 13th June 1941.

On 15th June, a huge meeting of the Muslims was organised by the Muslim leaders, in the premises of Jamia Masjid in Srinagar. Chowdhry Ghulam Abbas was unanimously elected the President of Muslim Conference. Qureshi Mohammad Youssuf was elected the General Secretary of the Conference. The Conference leaders pledged support to Muslim League and its demand for Pakistan.[41] The main principles which the Muslim leaders underlined in support of the Muslim League demand for Pakistan were:

(1) Hindus and Muslims were two separate nations;
(2) The Muslims in India as well as the Muslims in the Indian States had a right to struggle for a separate Muslim homeland.
(3) Political reform in the Indian States was of secondary importance, the primary purpose being the realisation of a separate Muslim homeland for the Muslims in India.
(4) In the Indian States, the Muslims, who were a part of the Muslim India, would evolve Muslim goverments based on Islamic law and scripture.
(5) In Jammu and Kashmir the Muslims would not accept the Hindu government and Hindu hegemony.
(6) In Jammu and Kashmir, the Hindu minority would not be allowed to govern but would be safeguarded as a minority.
(7) In Jammu and Kashmir all political power should be transferred to the Muslim leaders of the Muslim Conference.[42]

The Conference leaders also demanded the institution of responsible government in the State, the reservation of services for the Muslims in the State in proportion to their population, abolition of the Law prohibiting cow slaughter, and the amendment of the Hindu Personal law of inheritance.[43] Immediately after the Conference was revived, the Conference units were reorganised all over the State.

Chowdhry Abbas, a shrewd politician, utilised the demand for Pakistan as an effective instrument to extend his influence among the Ministry. Wherever, he went, he appealed with the Muslims to unite in the strugugle for a separate Muslim nation in India. The appeal went home and in a month, Abbas succeeded in consolidating the Muslim Conference in the Jammu province.[44] The revival of the Muslim Conference in Jammu gave a set back to the National Conference in Jammu. By the end of the year, the influence of the National Conference among the Muslims in Jammu was considerably reduced.

The Government was alarmed at the revival of the Muslim Conference and its support for Pakistan. Gopalaswamy Ayangar, sent secret emissaries to the Muslim Conference leaders to desist from making any reference to the League demand for the creation of Pakistan. Chowdhry Hamidullah, who was now the leader of the Muslim Conference group in the Assembly, Mirwaiz Youssuf Shah and a number of members of the Working Committee were in liaison with the Government.[45] In fact, Chowdhry Abbas was approached to tone down his support for the Muslim League demand for Pakistan. Abbas, however, realised that the demand for Pakistan was the most effective weapon to fight Sheikh Mohammad Abdullah and destroy the National Conference. He carried on his campaign for the realisation of Pakistan with the redoubled zeal.

Budh Singh-Ayyangar Correspondence

Inside the National Conference, the Muslim leadership refused to relent on the Dev Nagri script issue, the Arms Act and the issue of wider representation for Muslims in the State services. The Hindus, particularly the Kashmiri Pandits who had extended support to the National Conference, were far from satisfied with the stand the Muslim leaders in the Conference adopted with regard to the script controversy, Arms Act and the Muslim representation in State services.

The Working Committee of the Conference was convened to discuss these issues on 25th of November, 1941. The Committee remained in session for two days. The Committee took the decision to oppose the introductioin of the Dev Nagri script in the schools of the State. The Working Committee declared the decision of the Government unwise and mischievous and suggested that since Hindi was closely connected with the culture, religion and literature of the Hindus, facilities be made available in the schools for teaching Hindi to Hindu students. The Working Committee suggested that Hindi be introduced as an additional subject after the third primary and option be given to such students who wanted to learn Hindi to read it as an additional language. The Working Committee also suggested that in the same way languages connected with the culture, religion and literature of other communities such as Gur-Mukhi, Arabic, Persian etc., be taught as additional languages in the schools.

The Working Committee strongly condemned the enactment of the Arms Act, and alleged that the Arms Act was aimed to deprive the Muslims of their arms on the one hand and arm the Hindu Rajputs on the other.

The Working Committee endorsed the stand the National Conference Parliamentary Party had taken on the Muslim representation in the State services in the Praja Sabha and called upon the Government to implement the recommendations of the Glancy Commission with regard to the representation of the Muslims in the State services. The Working Committee noted that the Government had avoided to implement the recommendations of the Glancy Commission and the Muslims continued to be inadequately represented in the services of the State and continued to be discriminated. The Committee noted that the instructions given by the Ruler to the various heads of the administrative departments in regard to the the employment of the Muslims in the services had not been properly implemented and Muslims had not been given the encouragement which the instructions of the Ruler had embodied.

The Working Committee of the Conference instructed the President of the Conference, Sardar Budh Singh, to communicate to the Prime Minister of the State, the resolutions of the Working Committee. The Working Committee also authorised the President to wait upon the Prime Minister in a delegation and explain to him the import of the resolutions of the Working Committee and the policies of the National Conference.

After the Working Committee meeting, the President of the National Conference sent to the Prime Minister the resolutions of the Conference and suggested to him to meet a delegation of the members of the Working Committee of the Conference. He wrote to the Prime Minister that the delegation would explain to him the import of the resolutions of the Conference with regard to the Arms Act, the employment of Muslims in the State services, and the introduction of Dev Nagri script. The Prime Minister politely turned down the request of the President of the Conference. Referring to the resolutions of the Conference the Prime Minister informed Budh Singh that since the Arms Act had been assented to, by the Ruler, and the orders with regard to the Dev Nagri script had been already issued, the Government could not reopen these issues.

Budh Singh wrote back to the Prime Minister that the Arms Act had created resentment among the Muslims against the Government and the introduction of the Dev Nagri script had sown communal dissension among the people of the State. Budh Singh also wrote to the Prime Minister about the recruitment of the Muslims to the Government services. He wrote to the Prime Minister that the people all over the State felt that State

Government was still dominated by the Hindus, particularly the Kashmiri Pandits. Budh Singh observed in his communication to the Prime Minister that the recommendations of the Glancy Commission with regard to the representation of different communities in the services of the State had not been followed.

The Prime Minister snubbed Budh Singh and wrote back that the Government could not accept the suggestions made by the National Conference. Budh Singh did not yield and again wrote to the Prime Minister repeating his objections to the introduction of the Dev Nagri script, the enactment of the Arms Act and the inability of the Government to widen the employment opportunities in the State services for the Muslims in the State. Gopalaswamy Ayangar clinched the issue by instructing the Chief Secretary of the State to inform Budh Singh, that he would not like to have any further correspondence with the President of the National Conference on the resolutions which the Working Committee of the Conference had adopted.

Neither the resolution adopted by the National Conference, nor the communications from the President of the Conference to the Prime Minister, were free from communal rancour. The Arms Act was prohibitory in nature and in effect sought to check the perculation of unauthorised arms among the people in the State. The State Government was genuinely apprehensive of any proliferation of arms in the State. The Government of India had also wanted the State Government to impose restrictions on the possession of arms in the State in view of the turn the War had taken. The exception, the Arms Act made, with regard to the Rajputs, who mostly inhabited the Jammu province, was made by the Ruler, because the Ruler was a Rajput and sought to consolidate the Rajput aristocracy which had all along sworn loyalty to him. Budh Singh's argument that the introduction of the Dev Nagri script had deepened the Hindu-Muslim differences was not convincing. The separate electorates had done far greater harm to the public mind in the State. The National Conference leadership was actually scared of the Dev Nagri script because the Muslims were not prepared to learn it and therefore, were bound to remain out of the educational institutions in the State.

Budh Singh's advocacy for the acceptance of communal representation in the services of the State was the most purile suggestion he made to the Government. The lower rungs of the administration were mainly manned by the Hindus and the Kashmiri Pandits. Obviously, there was a need for readjustments but the introduction of the communal representation in the services was a suggestion which was bound to destroy whatever little of communal harmony prevailed in the State. The National Conference demanded the distribution of employments in proportion to the population of the different communities and even went to the extent of suggesting the appointment of Muslims who were academically and technically not qualified for recruitment, to the State services. The Government, for sheer administrative propriety and efficiency, could not accept the demands of the National Conference. The Government could not uproot the Hindus to make way for the Muslims. Hindus, particularly in Kashmir, were mainly dependent upon the petty government employments for their livelihood.

Ideological Divergence

After the revival of the Muslim Conference, the movement for political reforms in the State broke up into two politically and ideologically divergent currents: the one led by the National Conference and the other led by the Muslim Conference. The National Conference committed to Indian unity and Indian independence enjoyed wide support from a section of the Muslims in Kashmir, the Hindus and the Sikhs in the State. The Muslim Conference, committed to the demand for a separate Muslim nation and the division of India, drew its support from the Muslims, particularly those in the Jammu province.

National Conference was beset with many internal and external difficulties. After the transformation of the Muslim Conference into the National Conference, many of the ideological and tactical issues, which had cropped up as a result of the conversion, continued to remain unsettled. The Conference committed itself to the national unity, national liberation and the institution of responsible government in the States but it did not settle other major ideological and political issues which confronted it. The National Conference did not abandon the large number of ideological commitments and tactical operatives which it had inherited from Muslim Conference. It continued to adhere to objectives which actually were followed by the Muslim Conference: to establish economic and political precedence of the Muslims in the State. The National Conference actually reduced itself to an assortment of loose factions each professing the political objectives it preferred. The conservatives in the Conference made no secret of their apathy for the Congress leadership and openly claimed an independent role for the National Conference in the State. Most of them claimed that the collaboration between the Conference and Congress as well as the State's People's Conference was limited to the support the Conference received from the Congress and did not essentially commit the Conference to political objectives the Congress espoused or the tactical operatives the Congress followed. Many of the Conference cadres still adhered to the demand for the reservation of services for the Muslims on communal basis. Some of the Muslim leaders in the National Conference actually advocated Muslim ascendence and Muslim revivalism and the containment of Hindu Middle class in the State and its replacement by a Muslim middle class. Arraigned against the Muslim extremists in the Conference, were the Muslim nationalists who espoused the cause of the National Congress in the State and worked to institute the units of the State People's Conference in the State, the Muslim radicals who had worked in the Muslim Conference but supported national objectives and the Hindus and Sikhs. This faction was openly committed to the Congress ideals and operatives and in fact, rejected the demand for the separate homeland for the Muslims in India any pleas for Muslim precedence in the political and economic organisation of the State. A large faction of the Conference ranks and cadres oscillated between the Muslim conservatives and the Muslim radicals. Most of the senior leaders of the National Conference to this faction.

The political movement led by the Muslim Conference committed itself to the League demand for Pakistan and Muslim Nationalism. The demand for the separate homeland for Muslims had a deeper impact on the Muslim mind in the State. The Muslim Conference stressed its ultimate commitment of the Muslims all over India, to a Muslim state and the recognition of the Muslims as a separate and independent nation in India. The claim to separate Muslim nation had many ideological ramifications. The Muslims struggle in India was no longer confined to the demand for minority safeguards, but it was henceforth committed to the independence of the Muslim India from the British tutelage and freedom of the Muslims from the hegemony of the Hindu majority. The Muslims with one stroke cut off their morrings from the struggle of the people of India for independence. The Muslims no longer demanded the institution of political reforms which underlined minority safeguards. They committed themselves to the realistion of Pakistan and once Pakistan was conceded, they believed that they could give themselves the goverment that suited them.

The enire quest for Constitutional reforms in India was rendered redundant for Muslims. Not only in the Indian provinces, in the Princely States as well, the first emphasis came to be placed upon the establishment of Pakistan. The constitutional reform was an ancilliary process which the Muslims believed would follow in due course. For the Muslim majority in Kashmir, the demand for Pakistan became the national ideal. The quest for Pakistan, replaced the demand for Constitutional reforms, political rights and civil liberty. Only in this context could the stand taken by the All India States Muslim League on Hyderabad be justified. The ruler of Hyderabad was a Muslim. Therefore, all constitutional reforms and civil liberties were subservient to him. The Ruler of Jammu and Kashmir State, a predominantly Muslim State, was a Rajput Hindu; Therefore, all constitutional reform and civil liberty were subservient to the struggle for the deliverance of the Musiims in the State from the tutelage of the Hindus.

Within the ideological framework of the Muslim nationalism, the Muslim Conference leaders upheld the objectives of the Muslim movement which had begun in 1931. The Conference leaders reiterated the demand for the institution of responsible government which they actually interpreted as the direct transfer of power to the Muslims. The Conference leaders also reiterated the Muslim demand for retrenchment of the Kashmiri Pandits and the other Hindus from services, wider recruitment of Muslims in the State services, the abolition of prohibition on cow-slaughter and the removal of legal disabilities on the conversion of Hindus to Islam.

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6

Quit India

On 11th March, 1942, the British Prime Minister announced in the Parliament that the War Cabinet had decided to send Sir Stafford Cripps, a member of the Cabinet to India with proposals to negotiate a settlement of the Indian problem with the Indian leaders[1]. Cripps reached India on 22nd March, 1942. The proposals which Sir Stafford Cripps brought with him, envisaged a number of constitutional and political reforms for India. The cripps proposals stipulated that :[2]

1. a declaration would be made by British Government to the effect that India would be constituted into a dominion equal in every respect to other dominions of the British Crown and in no respect subordinate to any foreign power in its domestic or external affairs;
2. an elected Constitution-making Body would be set up in India after the war was over which would frame a Constitution for a proposed Indian Union;
3. Provisions would be made for the participation of the Indian States in the Constitution-making Body. The States would be given freedom to accept the Constitution which the Constitution-making body framed for India and whether the States accepted to join the Constitution-making body or not, they would be bound to revise the existing treaty relations with the Paramount power in accordance with the new Constitution;
4. provinces would be given the option to accept the Constitution of the Indian Union, or join the Union at a later date or retain their existing constitutional position and the British Government would be ready to concede full dominion status to these Provinces which did not accept the Constitution and would give them the rights to frame their own Constitutions;

5. the British Government would negotiate a treaty with the Constitution-making Body of India which would cover matters arising out of the transfer of power to India and the assurances for the protection of racial and religious minorities in India.
6. the Constitution-making body would be composed of representatives elected by an electoral college constituted of the elected members of the lower houses of the Provincial Legislatures on the basis of proportional representation after fresh elections to these legislatures were conducted;
7. the British Government would invite the Indian leadership to participate in the "Counsels of their country", of the Commonwealth and of the United Nations" during the critical period of the war, but declared its intention to retain control over the defences of India.

Cripps Mission and Jammu and Kashmir

The Ruler of Kashmir issued a statement in the press immediately after the announcement of the British Prime Minister to depute a Minister of the British Cabinet to India to negotiate a settlement with the Indian parties. In a forthright manner, Hari Singh declared that the correct course for the Indian Princes was to seek an adjustment with the free India. He pointed out that the Princes could not object to having dealings with a Central Government of India which would be constituted by the Crown. He scoffed at the claims of the Princes to treaty rights and constitutional conventions and termed them as mere expressions of the will of the Political Department of the Government of India, which had dealt with the Princes as it had desired, moulding and modifying the treaty rights and prerogatives, the Princes had enjoyed, according to its whims and caprices. Hari Singh, candidly called for the abandonment of effete and obsolete notions of invoking treaty rights and conventions, and stressed the need to make sacrifices and resolve differences with the future leaders of an independent India.[3] Hari Singh had been ravaged by the scourge of Paramountcy and had seen how the Political Department had torn the treaty rights he had laid claim to in 1931, and later in 1935. He stated that future government of India would not be more ruthless than the British and as the Princes accepted everchanging adjustments, to suit the British imperial interests, they should have had no reservations to estalish more stable relationships with a free India.[4] In his statement, Hari Singh proposed:

1. The Rulers in the Indian States must work for the welfare of their subjects.
2. The Indian States must identify themselves with the rest of India.
3. The Princes must be free from the "control and trammels" of Paramountcy.

On 4th April 1942, the Prime Minister of Jammu and Kashmir Gopalaswamy Ayangar made a statement in the Praja Sabha, illucidating the policies of the State Government with regard to the Cripps proposals. Gopalaswamy Ayangar specified the policies of the State Government in the following terms :[6]

1. that the Jammu and Kashmir State supported a united India with the Central Government.
2. that the Government of Jammu and Kashmir would oppose any idea of the division of India into smaller States; and
3. that the States should be secured their due position in the proposed Indian Union.

Cripps and the Indian States

The Princes were convinced that Cripps proposals would not be acceptale to the Congress. They were aware of the fact, that even if any settlement was reached on the basis of the Cripps proposals the Princes were ensured enough ground to remain out of the constitution making body, they had enough opportunity to secure their position and power both the constitution making body and the proposed union of India. They were, however, scared of the fact that a politicial settlement on the basis of the Cripps proposals, would not be final and in that case any further settlement of the Indian question could possibly prejudice their position and power.[7] The Chamber of Princes adopted a resolution which demanded 'full and effective protection of the Princes' 'rights arising from 'Treaties' and 'Sanads' and guarantees for the sovereignty and the autonomy which the Indian States enjoyed.'[8] The Indian States Delegation after its discussions with Sir Stafford Cripps, reiterated the stand taken by the Chamber of Princes. The States Delegation adopted a resolution on Cripps' Mission which said :[9]

> "The attitude of the Indian State in general of the Mission of the Lord Privey Seal is summed up in the resolution on the subject which was adopted unanimously at the recent session of the Chamber of Princes. The Indian States will be glad always, in the interest of the mother-

land, to make their contribution, in every reasonable manner compatible with the sovereign and integrity of the states, towards the framing of a new Constitution for India.

"The States should be assured, however, that in the event of a number of States not finding it feasible to adhere, the non-adhering States or groups of States so desiring should have the right to form a union of their own, with full sovereign status in accordance with a suitable and agreed procedure devised for the purpose."

States' Peoples Conference

The All India States' People's Conference sharply criticised the Cripps proposals and condemned them as damaging and destructive of the freedom of the people in India and the Indian States. The States' peoples' Conference rejected the stipulations of the Cripps scheme in regard to the States and declared that the scheme deserved to be rejected outright on the ground that it vested the right of determining the future of the Indian States in the hands of the Princes and ignored the right of the States in any constitutional structure of India which would be evolved in future. The Conference reiterated its position that the sovereignty in the State was the right of the people, and the Rulers of any foreign vested interests could not arrogate to themselves the right to impede the freedom of India. The States Peoples' Conference complained that the Cripps proposal did not envisage any recommendations for the liberalisation of the governments in the Indian States.[10]

The Conference accused the British Government of perpetuating both the Princes and the paramountcy in India. The Conference called upon its units in all the States to consolidate their ranks and intensify their struggle against the foreign dominance. The Conference also gave a call to its units in the States and other organisations which were aligned to it, to organise a protest day on 19th April 1942, to demonstrate their opposition to the Cripps proposals and demand the right of the people in the States to participate in the Constitution-making of India.[11]

National Conference and Cripps Proposals

The National Conference leadership criticised the Cripps proposals. Sheikh Mohammad Abdullah launched a scathing attack on Sir Stafford Cripps and blamed him for having ignored the States Peoples' Conference and having refused to consult the leaders of the people in the States. He contended that the people in British India and Indian States constituted one nation and constitutional reforms for India, which were not based on the consent of the States Peoples' Conference, would not be acceptable to the people in the Indian States. Sheikh Mohammad Abdullah pointed out that the exclusion of the leaders of the States Peoples' conference from the negotiations on the Cripps proposals "reflected the British designs to retain the Princes as the last bastions of British impeprialism in India."[12] Sheikh Mohammad Abdullah declared that "any political reforms which did not take into account the political aspirations of the people in the States would not be acceptable to the Indian States." He added: "Even if Sir Stafford Cripps succeeded in winning over British Indian politicians by meeting fully their demands, he will thereby be gaining the cooperation of only three-fourth of the Indian population."[13]

The All India States Peoples Conference made an impassioned appeal to its constituents in the States and the units and organisations working in collaboration with it, to organise mass demonstrations against the Cripps Mission.

In response to the appeal by the All India States Peoples' Conference, the National Conference organised mass demonstrations on 20th of April, 1942. Demonstrations were held in Srinagar, Jammu, Mirpur and Anantnag. In Srinagar, a huge meeting of the National Conference workers adopted the following resolution:

> "The Princes have no right to represent the people in the States. Instead the accredited leaders of the people of the States and their respective organisations have the right to represent the people in the States. The people in the States will oppose any constitutional reform which is based on discrimination against the State's peoples. The people in the States, in no case recognise such treaties which stand in the way of their progress or become a cause of their backwardness. The nine crores of the people in the Indian States do not recognise the treaties between the Princes and the East India Company."[14]

Rejection of Cripps Proposals

All the political parties in India rejected the Cripps proposals. Congress refused to accept any constitutional arrangement which did not envisage the appointment of a national government during the period of war as an interim measure. The Congress also refused to countenance any proposals which allowed the British to retain control over the defences of India. The Congress also rejected the Cripps proposals on the ground that the Cripps scheme would ultimately lead to the vivisection of India.[15]

The Congress accused Cripps of having denied ninety million people in the Indian States, the right to self-determination and participation in the Constitution making process in India. In its resolution adopted on 2nd April, 1942, the Working Committee declared:

The complete ignoring of ninety millions of people in the Indian States, and their treatment as commodities at the disposal of their rulers, is a negation both of democracy and self-determination. While the representation of an Indian State in the Constitution making-body is fixed on a population basis, the people of the State have no voice in choosing those representatives, nor are they to be consulted at any stage while decisions vitally affected them are being taken. Such States may in many ways become barriers to the growth of Indian freedom, enclaves where foreign authority still prevails and where the possibility of maintaining foreign armed forces has been stated to be a likely contingency and a perpetual menace to the freedom of the people of the states as well as the rest of India."[16]

The Muslim League also rejected the Cripps proposals. The League maintained that the Cripps proposals did not envisage the creation of Pakistan and any constitution reform which did not accept the demand for Pakistan would not be acceptable to the Indian Muslims.[17]

National Conference and War effort

In the wake of the Cripps Mission, an era of greater understanding and co-operation, between the State Government and National Conference, commenced. Obviously, it was because the National Conference had applauded the statements of the Ruler as well as the Prime Minister of the State on the Cripps Mission.

Secret messages were sent by the State Government to the leaders of the National Conference to abandon the agitative approach to State policies and help in the evolution of secular and democratic values. Kashyap Bandhu, who had returned to the National Conference fold, acted as the main mediator between the National Conference and the State Government. The State Government assured the National Conference leaders that the scheme for constitutional reform would be drawn up in due course of time in consultation with the National Conference leaders and a measure of responsibility would be introduced in the State Government.[18]

The National Conference leaders accepted to recognise the principle that constitutional reform in the State would be introduced under the aegis of the Ruler, and the reforms would not prejudice the Ruler's powers and position. The National Conference leaders also agreed to co-operate with the State Government and abandon agitative methods for the realisation of self government.[19]

In consonance with this policy the National Conference declared its support for the War effort. The Working Committee of the Congress met in Srinagar on 14th of May, 1942. The Committee remained in session for three days and on the third day, it adopted a Resolution envisaging the declaration that the World War was no longer a war among the imperialist powers but a people's war against fascism. In the opinion of the Working Committee, the Resolution stated, "the present war is no longer a war between the imperialist powers but it is a people's war of all democracies of the world against fascism and reaction."[20]

Quit India

On July 14, 1942, the Congress Working Committee met at Waroha and adopted the famous 'Quit India' Resolution. All India Congress Committee met in Bombay on 7th and 8th August 1942, and endorsed the resolution of the Working Committee. The Congress Committee adopted a resolution on 8th of August which stipulated:

> "The All India Congress Committee would yet again, at this last moment, in the interest of world freedom, renew this appeal to Britain and the United Nations. But the Committee feels that it is no longer justified in holding the nation back from endeavouring to assert its will against an imperialist and authoritarian Government which dominates over it and prevents it from functioning in its on interest and in the interest of humanity. The Committee resolves, therefore, to sanction for the vindication of India's inalienable right to freedom and independence, the starting of a mass struggle on non-violent lines on

the widest possible scale, so that the country might utilise all the non-violent strength it has gathered during the last 22 years of peaceful struggle."[21]

On 9th August, the Government of India swooped on the Congress rank and file. Gandhi and the other Congress leaders were arrested in the early hours of the morning under the Defence of India Rules. The Congress leaders who escaped arrest, hurriedly issued instructions to the people in a "twelve-point programme" in regard to the conduct of the "Quit India" movement. In the "Twelve-point programme" the people were exhorted to launch a non-violent civil disobedience movement including boycotts, strikes, refusal to pay land revenue, manufacture of salt, strikes by government servants, blockades, processions and protests.[22]

The Government came down upon the agitators with a heavy hand. This flared up the tempers further and gradually the civil disobedience movement broke into an open rebellion against the British. The people attacked government buildings, railway stations, police stations and post offices. As the fury of the protesting mobs increased, courts, railways treasuries and other government installations were attacked at a number of places in the country.[23] In Bengal, Bombay, the United Provinces and the Central Province the Satyagrahis took to arms.[24] The British met the agitation with a firm hand. In less than three months the "Quit India" movement was smosthered.

Quit India and Kashmir

The National Conference leaders and cadres were taken aback by the arrest of the Congress leaders. Their reaction, however, was subdued. The Conference had made an unconditional declaration of support in favour of the Allied Powers in their struggle against the Fascists. The sudden turn in the events and the direct confrontation between the Congress and the Government of India, posed a serious problem to the Conference. The Conference leaders threw off their caution and openly condmned the arrest of the Congress leaders.[25] The Conference leaders, however, placidly avoided to commit the Conference to any positive course of action in support of the "Quit India" movement.

The Working Committee of the National Conference was called to meet on 16th August 1942, to consider the situation which had arisen out of the "Quit India" movement. The Working Committee gave a call for protest demonstrations on 23rd August 1942, in support of "Quit India" movement and against the repression the Indian Government had unleashed on the people in India.[26] The Working Committee adopted a resolution which expressed fraternal support for the "Quit India" movement and condemned the arrest of Congress leaders.

"In the opinion of the Working Committee", the resolution of the Working Committee stipulated, "the demand made by the Congress and Gandhiji for the immediate declaration of the Indian independence is based on just and legitimate grounds. The objective of the demand (as has been repeatedly clarified) by Gandhiji, Maulana Azad and Pandit Jawaharlal Nehru and the other Congress leaders and has been included in the Congress resolutions, is to ensure the security of India and to make the Allied War effort more-effective.[27]" The Working Committee condemned the repression let loose by the British on the people of India and called upon the British Government to release Gandhiji and the other Indian leaders and restore the country to normalcy so that the freedom of India could be achieved in an atmosphere of trust and friendship. "The Working Committee calls upon the British Government", the resolution added" to release Gandhiji and the other Congress leaders and other detenues immediately and end the policy of repression in order to restore normalcy and confidence in the people so that an atmosphere is created in which complete independence and a national government for India could be devised. This would enable India to participate in the struggle against fascist forces as a free and powerful democracy and help in the struggle for the liberation of the world from forces of fascism and reaction"[28]

The "Quit India" movement evolved sharp response from the people in the Jammu Province and the Kashmiri Pandits in the Kashmir Province. In Jammu, students boycotted the schools and colleges and business centres were closed. At a number of places minor clashes occurred between the police and the students. A number of Congress supporters were arrested and imprisoned.[29]

The Kashmiri Pandits reacted with equal severity against the arrest of the Congress leaders. On 11th August, 1942, the Kashmiri Pandit Yuvak Sabha, adopted a resolution condemning the arrest of the Congress leaders and called upon the British Government to release the Congress leaders and negotiate a settlement of the Indian problem with them. "The Sabha is of the opinion", the resolution read, "that these arrests were most inopportune, impolitic and ill-advised, particularly when the whole world is passing today, through most troubleous and critical time ever known to history. The Sabha is of the strong belief that at this critical juncture, when time honoured and cherished values of culture and civilization are at stake, the services of Mahatma Gandhi (the greatest apostle of non-violence and peace) could have been utilised for the good of the suffering humanity which could under his leadership be led to peace and progress.[30]"

On 16th August, 1942, the General Secretary of the Kashmiri Pandit Yuvak Sabha issued a statement to the press, supporting the resolution of the National Conference which called for protest demonstrations against the arrest of the Congress leaders on 23rd August, 1942. In his statement, the General Secretary of the Yuvak Sabha declared that the time had come "when Indian people should be given complete control over their country's affairs". The Secretary said, "The Sabha cannot but sympathise with the spirit of the resolution adopted by the Jammu and Kashmir National Conference which called upon the people in the State to observe 23rd August, as the National Day".[31] The Secretary added, "Unlike the other minorities in British India, Kashmiri Pandit minority and the Yuvak Sabha will not stand in the way of those patriots whose cherished purpose is to secure freedom for the motherland.[32]." On 23rd August protest meetings and demonstrations were held all over the State. Resolutions were adopted in these meetings condemning the arrest of the Congress leaders. Emphatic appeals were made to the British authorities to release the leaders of the Congress and come to a settlement with them.[33] In the Kashmir Province people went on a general strike. In Mirpur, the District Committee of the National Conference and the Congress Committee organised a meeting where a resolution was adopted against "the repressive policy of the British Government towards the unarmed and peaceful masses in order to crush the liberation movement in India."[34]

Quit India and Muslim Conference

The League came out openly against the "Quit India" movement. In order to earn the goodwill of the British Government, Mohammad Ali Jinnah, denounced the movement and asked the Muslims in India to desist from participating in the civil desobedience movement launched by the Congress. The Muslim League adoped a resolution on 20th August, 1942, and endorsed the decision its leadership had taken. The League declared:

> "The Muslims were not any less insistent than the Congress in the attainment of independence, but the purpose of the Congress was not

> to secure freedom for all constituent elements in the life of India but to bring about the establishment of a Hindu Raj and to deal a death blow to the Muslims."

The Muslim League warned the Congress that the League would not tolerate any interference by the Congress with the normal life of the Muslims in India and if the Congress workers attempted to interfere with the Muslim anywhere they would be stiffly dealt with.[35]

In pursuance of the policy adopted by the Muslim League, the General Council of the States Muslim League adopted a strongly worded resolution on the Indian States and the "Quit India" movement. The resolution stipulated:

1) The Muslims in the Indian States were exhorted to keep themselves aloof from all movements which spread unconstitutional activity and lawlessness;
2) Congress and the All India States Peoples' Conference were warned to desist from fomenting disturbances in the States;
3) The Princes were urged upon not to ignore the historic importance of the Muslims in the Indian States and were asked to safeguard their political and social rights, in case any constitutional reforms were introduced in the States.

Chowdhry Abbas, who was a member of the Working Committee of the States Muslim league, Chowdhry Ghulam Abbas also participted in the deliberations of the General Council of the States Muslim League. The League resolution in effect opposed the introduction of any constitutional reforms in the States. In fact, the resolution sought to secure the Muslims against any constitutional reform in all such States where they enjoyed privileges and precedence.[36] The Muslims, in fact enjoyed social, economic and political precedence in Hyderabad and Junagarh and other small States ruled by Muslim Nawabs and the States Muslim League was eager to safeguard the interests of the Muslim minorities in the States. In the other States, which were ruled by the Hindu Rulers, the States Muslim League had scant interest, because the subjects in such States were by and large Hindus and therefore, did not come within the ambit of the future Muslim homeland of Pakistan. In fact, in such States, the States Muslim League overtly demanded safeguards for Muslim minorities. In regard to Kashmir however, the League was highly vociferous and downright in its demand for constitutional reforms. The League claimed that the introduction of responsible government in Jammu Kashmir would benefit the majority of the Muslims in the State.

In conformity with the resolutions of the Muslim League and the State's Muslim League, the Muslim Conference in Jammu and Kashmir severely condemned the 'Quit India' movement, Indian National Congress as well as the National Conference. Muslim Conference leaders called for unconditional support to the British in their struggle against Germany. They blamed the State Government for its "lenient attitude towards the National Conference" which had extended its wholehearted Support to the "Quit India" movement.[37]

Moulvi Youssuf Shah, Chowdhry Ghulam Abbas, Qureshi Mohammad Yousuf and the other leaders of the Muslim Conference blamed Gopalaswamy Ayyangar for what was happening inside the State. They denounced the "unholy alliance' between the National Conference and the Indian National Congress and branded Sheikh Mohammad Abdullah and the other leaders of the National Conference, infidels. The Muslim Conference leaders claimed that the "Muslims and their religion Islam were inseparable and Pakistan was their goal.[38]"

The Long Conflict

During the last days of August and the month of September, tension mounted furthur between the National Conference and the Muslim Conference. On 11th October, 1942, on the eve of the festival of Id, Muslim Conference leaders launched another scathing attack on Sheikh Mohammad Abdullah and the other leaders of the National Conference. They called the National Conference leaders, "the enemies of Islam" and charged them of having conspired with the Government to destroy the Muslims in the State. They exhorted his followers to prepare for a fight to the finish with the National Conference leaders and the State Government.[39]

The festival of Id fell on 12th of October, 1942. As usual, Muslims in large numbers went down to Idgah grounds in Srinagar to offer prayers. Before, however, the prayers began the supporters of the Muslim Conference and National Conference clashed with each other. The trouble spread over to the other parts of the Srinagar city.[40] The Government, immediately clamped prohibitory orders banning all meetings in the city and imposed curfew in the northern parts of Srinagar where the bulk of the supporters of the Muslim Conference lived.[41]

On 14th and 15th October, the Muslim Conference leaders advised their Mohalla Committees to send telegrams to the British Resident in the State as well as the Viceroy of India appealing for help against the high handedness of the National Conference volunteers. The Muslim Conference workers sent telegrams to the Viceroy, the Government of India and the British Resident, asking for protection against the National Conference excesses which they alleged had been committed against the Muslim Conference workers.[42] The Conference workers alleged that the Government of the State had deliberately avoided to safeguard the life and property of the followers of the Muslim Conference. They appealed to the Government of India as well as the Resident to send British troops to the State to safeguard the Muslims. The telegrams were returned to their senders, from the State Telegraph office on the plea that "the content of telegrams was objectionable" and therefore they could not be relayed to the Government of India.[43]

A week after the incidents in Kashmir a number of meetings were organised by the Muslim Conference leaders in Jammu. National Conference was charged of having unleashed a "reign of terror" against the Muslims in the State.[44] The Muslim Conference leaders of Jammu alleged that the Congress and the Government in the State had connived with the National Conference in their efforts to undo the Muslims in the State. In a statement, the Publicity Secretary of the Muslim Conference observed, "The Muslim Conference people of Srinagar have more complaints about the Government than about Sheikh Mohammad Abdullah."[45] Chowdhry Ghulam Abbas deputed Allah Rakha Sagar, a senior leader of the Muslim Conference, to go to Srinagar to make an enquiry in what had happened in Kashmir. Immediately after the arrival of Sagar in Srinagar, the District Magistrate of Srinagar ordered Sagar to leave Kashmir. A ban was imposed on his re-entry into Kashmir for six months.[46]

Quest for Political Reforms

In the conflict between the National Conference and the Muslim Conference, Gopalaswamy Ayyangar assusmed a policy of quite indifference. Gopalaswamy Ayyangar ~~was~~ clear that no understanding could be reached with the Muslim Conference. Gopalaswamy was severely distrustful of the Muslim communalism. In this respect, Hari Singh stood squarely behind him. Gopalaswamy Ayangar was also averse to the idea of the division of India and the creation of Pakistan.[47] Maharaja Hari Singh himself disdained the creation of a Muslim State, which, if it came into existence, could spread around the territories of his State. Muslims being the predominant part of the population of the State, Hari Singh feared the reoccurence of Muslim agitation against his regime. Ayyangar realised that the secularisation of politics in the State and the emergence of the National Conference had considerably countermanded the influence of Muslim communalism in the State. At least in the Kashmir province, the National Conference had become the most influential political organisation.[48]

Gopalaswamy Ayyangar realised that to effect improvement in the life of the people in the State a certain measure of political reform was necessary. To ensure that, Gopalaswamy Ayyangar initiated negotiations with the National Conference on the nature and extent of political reforms[49] which could, in the existing conditions, be introduced in the State. There was considerable difference of outlook between the Prime Minister and the National Conference leadership. Gopalaswamy Ayyangar was by no means a radical, and the constitutional reform the "National Demand" envisaged could not be acceptable to him. The National Conference was, however, committed to the introduction of administrative responsibility, universal adult franchise and a quantum of individual liberty and freedom, besides certain reforms in the economic organisation of the State. Obviously the quantum of political reform, Gopalaswamy was ready to concede, fell far short of the reforms, the National Conference demanded.

Kashyap Bandhu, worked as an intermediary between the Conference leaders and the Government.[50] He assured Ayyangar that political movement, the Conference led, was not aimed against the Ruler, and the political reforms which the Conference sought to be introduced, would not effect the position of the Ruler. Kashyap Bandhu played the main role in securing these assurances from the leaders of the National Conference.[51] Gopalaswamy Ayyangar agreed to discuss the entire question of constitutional reform with Sheikh Mohammad Abdullah. The two leaders met in Srinagar on 9th of November 1942. Pandit Kashyap Bandhu was present in the meeting. There was a long exchange of views on many important aspects of the constitutional reform in the State.[52] Later, Sheikh Mohammad Abdullah met the Prime Minister again. Sheikh Mohammad Abdullah pleaded that[53]:

1) A Ministry should be constituted in the State which would be from among the members of the Praja Sabha;
2) The Ministry should remain in office during the pleasure of the Ruler, but should be responsible to the members of the Sabha;
3) Most of the members of the Praja Sabha should be elected on the basis of adult franchise.
4) Electoral provisions should be revised and restrictions and limitations on the right to vote should be removed.
5) The Ministry should have the powers to administer such of the subjects of the Government as the Ruler would deem fit.

Agreement was finally reached between Sheikh Mohammad Abdullah and the Prime Minister on the following principles:

1) In the initial phase a measure of executive responsibility would be introduced in the State Government.
2) In pursuance of that a fixed number of the Ministers in the Council would be appointed from among the members of the Sabha.
3) These Ministers would remain in office during the pleasure of the Ruler, but would in effect, be responsible to Praja Sabha.

Removal of Ayyangar

Hari Singh did not approve of the negotiations between his Prime Minister and Sheikh Mohammad Abdullah. He was not favourably inclined towards any constitutional reforms which would involve the delegation of any powers to officers who were not directly appointed by him and responsible to him. He scoffed at the idea of transfer of any authority to public representatives and characterised such proposals as a "voluntary abdication". Hari Singh had an inherent aversion towards the Conference leaders, probably because of the role Sheikh Mohammad Abdullah and the other leaders of the National Conference had played in the Muslim agitation of 1931, and he abhored the idea of any transfer of substantive authority to them.[55]

After some time Ayyangar discussed the issue of the constitutional reforms with the Ruler and proposed a partial transfer of admistrative powers to Ministers who would be appointed from the Praja Sabha and who would be partially responsible to the Sabha. He also suggested the transfer of a wider quantum of control to the Sabha with regard to the transferred subjects and the finances of the State.

Hari Singh summarily turned down the suggestions Ayyangar made. He expressed his strong disapproval of the encouragement Ayyangar had given to the National Conference.[56] In fact, the Residency Officials had expressed their misgivings about the increasing influence of the Congress over the National Conference. Ayyangar felt flustered and requested to be relieved from his office. Hari Singh had no regrets and relieved Gopalaswamy Ayyangar from his office in the first week of April, 1943. Sir Kunwar Maharaja Singh a trusted servant of the Government of India, was appointed the Prime Minister of the State.[57]

The removal of Gopalaswamy Ayyangar was hailed by the Muslim Conference leaders all over the State. Instructions were issued to the Muslim Conference units all over the State to celebrate 9th April as the "day of deliverence" The Muslim Conference leaders complained that Gopalaswamy Ayangar had extended support to the National Conference on the behest of the Congress leaders. They presented a number of memorials to Sir Maharaja Singh recounting the accesses the National Conference cadres had committed upon the workers and men of the Muslim Conference.[58]

On the 'deliverence day' meetings were organised throughout the State by the Muslim Conference leaders and a scathing attack was delivered on the Government for the policies which it had followed during the tenure of Gopalaswamy Ayyangar. The Muslim Conference leaders also attacked the National Conference leaders and charged them of having acted as the agents of the Government against the interests of the Muslims in the State.

Maharaj Singh reversed the policies which Gopalaswamy Ayyangar had followed and established a closer rapport with the Muslim Conference leaders. Maharaj Singh was a conservative and an ardent supporter of the British in India. He took advantage of the fears, Hari Singh harboured about the National Conference and set out to undo the prestige and influence the National Conference had assumed in the State.

Maharaj Singh conveyed his displeasure to the leaders of the National Conference.[59] The Prime Minister secretly assured the Muslim Conference leaders that the State Government would not object to their political activities and would, in fact, give the same protection to the Muslim Conference that was given to the other political organisation in the State.[60]

Assured of the protection of the Government, the Muslim Conference leaders launched a virulent campaign for the propagation of Pakistan and the institution of responsible government in the State. The Muslim Conference leaders also demanded special representation for the Muslims in the State services, repeal of the Arms Act, the withdrawal of the Dev Nagri script, the abolition of prohibition on cow-slaughter and the amendment of Hindu Law of Inheritance. Sir Maharaj Singh made no secret of his preferences and publicly admitted that the Muslims were not adequately represented in the services of the State.

However, Hari Singh did not approve of the policies Sir Maharaj Singh followed, because he strongly disfavoured the revail of Muslim communalism in the State. He did not like the support and encouragement Maharaj Singh extended to the Muslim Conference. Hari Singh, in fact, wanted a check to be placed on the National Conference but he strongly disfavoured the revival of the Muslim communalism in the State. Maharaj Singh's inclination to favour the Muslim Conference leaders and encourage them to reorganise the Muslims in the State, his pronouncements with regard to the Arms Act, the introduction of the Dev Nagri script and the removal of the prohibition on cow-slaughter, estranged the Hindus from him.[61] With the Ruler as well as the Hindus being against Maharaj Singh, he could not settle into his office for long.

Towards the close of July, hardly three months after Maharaj Singh had taken over as the Prime Minister of the State, the deteriorating relations between him and Hari Singh came to head.[62] On 26th of July 1943, Maharaj Singh was relieved of his office. Hari Singh entrusted the charge of the Government to Sir Kailash Narain Haksar, one of his trusted Ministers. Haksar, was as intolerant to Muslim Conference as Ayynagar was. However, Haksar was a conservative and therefore, he was not as favourably disposed towards the National Conference.

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Naya Kashmir

On 12th July, 1943, Hari Singh, by a Royal Proclamation announced the appointment of a high power enquiry Commission to look into the working of Constitution of the State and the social and economic conditions of the State Subjects.[1] The Ruler instructed the Commission to make recommendations for political reforms and suggest measures for the economic uplift of the people in the State.

In the Proclamation, Hari Singh declared that the people of all communities and all faiths were equal. He appreciated the cordial relations prevailing among the various communities of the State and desired that these should be further strengthened. Hari Singh further observed that the constitutional reforms introduced in the State, four years earlier, needed to be reassessed and the utility of these reforms deserved to be re-examined. He pointed out that the Commission had been appointed to make recommendations on the basis of which constitutional reforms could be introduced in the State, which would permit wider participation of the people in its Government and the administration.[2]

The Commission was constituted of twenty members. Rai Bahadur Ganga Nath, the Chief Justice of the State High Court, was appointed President of the Commission and Major General Janak Singh, a close relation of the Maharaja, the Vice-President. The other members of the Commission were Raja Allah-dad Khan, Sheikh Azizudin, Mirza Mohammad Afzal Beg, Ghulam Mohammad Sadiq, Sardar Dhyan Singh, Wazir Ganga Ram, M.A. Hafiz, Sultan of Kathai, Lala Shiv Nath Nanda, Pandit Prem Nath Dogra, Pandit Amar Nath Purbi, Chowdhry Rahmat Ullah Khan, Colonel Sansar Singh, Aga Sher Ali, Lala Mul Raj Mengi, Pandit Amar Nath Kak, Surinder Mohini Shastri and Rinchen Chung. Wazir Tej Ram was appointed the secretary of the Commission.[3]

Most of the members of the Royal Commission were feudal aristocrats, pensioners and concession holders. Raja Allah Dad Khan, Wazir Ganga Ram and Sultan of Kathai were feudal lords. Ghulam Mohammad Sadiq, Mirza Afzal Beg, Amar Nath Kak, Prem Nath Dogra, Lala Shiv Nath Nanda and Lala Mul Raj Mengi were the only members, who represented the various communities and political organisations in the State. Aga Sher Ali who was also a feudal aristocrat, represented the Shias and Runchin Chung represented the Buddhists in Ladakh.

The terms of reference of the commission were comprehensive and wide. The Royal Commission was instructed to investigate conditions, needs and environment of the people of Jammu and Kashmir and suggest measures to secure the collective interest of the people as well as the welfare of the various communities and groups living in the State.[4] The Commission was invited to inquire into the working of the existing constitutional provisions and recommend measures to ensure :

1) defence of State, internal peace and stability;
2) an efficient and progressive structure of government for the State;
3) development of the State so as to achieve unity and cooperation among the various communities;
4) development of the economic resources of the State in order to secure a high standard of living for the people and increase the opportunities of employment for them to the highest offices of the State and adopt administrative procedures which remedied and removed discontent and distrust among the various section of the society;
5) implementation of the Ruler's instructions and orders pertaining to the appointment of State Subjects to the State services; and
6) the elimination of dishonesty and corruption from the administration of the State.[5]

Besides the constitutional and administrative reforms the Ruler instructed the Commission to enquire into the following aspects of civil and administrative functions and recommend measures to improve them:[6]

1) Medical services, particularly the Rural medical aid;
2) Sanitation of the towns of Srinagar and Jammu and the prevention and cure of diseases in Ram Nagar, Udhumpur and Ramban;
3) Facilities of irrigation in Kandi regions;

4) Economic conditions of the frontier districts of Ladakh, Baltistan, Skardu and Gilgit;
5) The condition of the industries in the State and industrial development of the State;
6) Re-organisation of the educational system;
7) Development of the traditional trades, technical and professional education;
8) Expansion of employment of the State;
9) Economic security of the various classes of the people in the State, particularly the rural classes and the improvement of their standards of living;
10) The migration of labour from the State to British India and its prevention;
11) Prevention of abduction of women and traffic in women;
12) Evaluation of the law of marriage; and
13) The extension of local-self government.

The appointment of the Commission evoked mixed reactions from the different political organisations in the State. The National Conference, Yuvak Sabha, Hindu Rajya Sabha, the Congress Committee in Jammu and the Hindu Navjawan Sabha expressed satisfaction on the intentions of the Ruler to introduce constitutional reforms in the State and take measures to ameliorate the economic conditions of the people.[7] The appointment of the Enquiry Commission was hailed as "a timely step in the direction of the political reform and economic emancipation of the people in the State."[8] Most of the leaders of these organisations, however, expressed disappointment at the constitution of the Commission and the preponderance of the Jagirdars, Pensioners, Concession-holders and officials of the Government in the Commission. The leaders expressed their doubts whether the Commission could make any purposeful contribution in the direction of the political and economic reform in the State. Most of the leaders disapproved of the large size of the Commission and expressed fears whether such a large assortment of landlords, Pensioners, Concession-holders and officials, could function smoothly.

The leaders of the Muslim Conference, however, severely criticised and disapproved the appointment of the Royal Commission. They were flustered and angry at the inclusion of the representatives of the National Conference in the Commission and the exclusion of the representatives of the Muslim Conference. None of the Muslim Conference leaders was appointed on the Commission. Out of twenty two members appointed on the Commission, eight were Muslims, but none of them belonged to the Muslim Conference.[9] Mirwaiz Moulvi Yousouf Shah alleged that the appointment of the Commission was a plot to undermine the recommendations of the Glancy Commission and damage the Muslims in the State. Yousouf Shah exhorted the Muslims in the State to boycott the proceedings of the Commission. Chowdhry Ghulam Abbas, the President of the Muslim Conference blamed the Government of having deliberately ignored the Muslim Conference leaders and legislators and of having intentionally kept them out of the Commission. He further said, "The matter rests entirely with the Working Committee. It is being called to formulate the policy and the attitude of the Muslims confronted with regard to the Commission."[10]

On 30th July, the Muslim Conference in Ladakh issued a statement appealing to the State Government to include a Muslim representative from Ladakh in the Commission. It refused to be presented by Rinchan Chung, who was a Buddhist. Buddhists formed the majority of the population in the frontier district of Ladakh.[11]

The Royal Commission of Enquiry was inaugurated on 9th August 1943, with great pomp and show in the Old Palace of the Maharaja in Srinagar.[12] R.B. Ganga Nath read a message to the members of the Commission from the Ruler. The message enjoined upon the Commission to work with dedication, devotion and contribute to the material and moral welfare of the people in the State. In his message, Hari Singh communicated to the Commission, "If you work together, not in a narrow and mutually distrustful spirit, but with affixed resolve to serve the best interests of the State and in that loyalty on which I depended, I feel confident that your labour will be fruitful and add to the moral and material welfare of the inhabitants of the State."[13]

On 12th August 1943, three days after the Royal Commission of Enquiry was inaugurated by Maharaja Hari Singh, the Muslim Conference held its annual session in Srinagar.[14] The Conference leaders invited Mohammad Ali Jinnah to attend the session. Jinnah expressed his willingness to come to Srinagar. The Conference leaders had already invited Nawab Bahadur Yar Jung, the Life President of the All India State League, to come to Srinagar to preside over the Muslim Conference session.

The District Magistrate of Srinagar, who had been approached by the Muslim Conference leaders to seek permission to hold the session in Srinagar had informed the Conference leaders that they would be allowed to hold the session subject to the condition that no one from outside the State would address the session or deliver any speech there, or participate in the deliberations of the Conference.[15] The Secretary of the Srinagar City Muslim Conference, Abdul Salam Dalal, who had in fact, sought the permission to hold the session, had agreed to the conditions and actually signed a declaration to that effect before the District Magistrate.

Nawab Bahadur Yar Jung reached Srinagar on 12th of August, 1943. Jinnah did not come to attend the session. The Working Committee of the Muslim Conference met on 13th of August 1943. The Committee considered a number of issues and adopted a number of resolutions. The Committee reiterated the demand for Pakistan and expressed its support to the Muslim League.[16] It also reiterated its demand for the introduction of responsible government in Jammu and Kashmir State. The Committee also called upon the Government to remove the discrimination against Muslims particularly in regard to the representation of the Muslims in the administrative employment. The Committee further demanded :

i) repeal of the Arms Act;
ii) withdrawal of the Dev-Nagri script from the schools;
iii) annulment of prohibitory laws on cow-slaughter; and
iv) amendment of the Hindu Personal Law to facilitate the conversion of Hindus to Islam.[17]

The Working Committee, considered the Proclamation of the Ruler, appointing the Royal Commission of Enquiry. The Committee took a decision to boycott the Commission and called upon the Muslims not to cooperate with the Commission. The Committee listed the following reasons for its decision to boycott the Commission.[18]

i) the Commission did not represent Muslims of the State;
ii) Muslims did not accept any justice from the Commission;
iii) Muslims could not seek redress of their grievances and remedies for their disabilities by the means which the appointment of the Commission underlined;
iv) the Government had not shown any gesture of having changed their heart towards the Muslims.

After the Working Committee meeting, the General Council of the Muslim Conference met at the residence of the Mirwaiz Yousouf Shah in Srinagar. The General Council of the Conference confirmed the resolutions adopted by the Working Committee. Nawab Bahadur Yar Jung also addressed the open session of the General Council of the Conference.[19]

The open session of the Muslim Conference was held in Jamia Masjid in Srinagar, on 14th of August, 1943. Nawab Yar Jung arrived at the premises of the Jamia Masjid shortly before the open session began. Immediately after his arrival he was served with an order from the District Magistrate of Srinagar to leave Kashmir in twenty four hours. He was charged of having addressed the session of the General Council of the Conference, and of having violated the undertaking the Muslim Conference leaders had given to the District Magistrate of Srinagar. Nawab Yar Jung left Kashmir without any delay.

The externment of Nawab Yar Junj created consternation among the rank and file of Muslim Conference. They charged the State Government of having acted to disrupt the Annual Session of the Conference.[21] Proceedings of the last day of the Annual Session of the Conference were cancelled as a Protest against the externment of Nawab Yar Jung.[22]

Mirwaiz Yousouf Shah, who was elected the President of the Conference presided over the proceedings of the session on 13th of August after Nawab Yar Jung had left. In his presidential address the Mirwaiz observed, that during the tenure of Gopalaswamy Ayyangar, the Government had followed policies inimical to the Muslims in the State. Mirwaiz appealed to the Ruler of the State to remove the miseries and disabilities the Muslims laboured under. He pointed out that the institution of responsible government would go a long way to mitigate the difficulties of the Muslims in the State.[23]

The Conference adopted a number of political resolutions. These resolutions envisaged :-[24]

1. The amendment of the Hindu Personal Law of Inheritance to save converts from Hinduism to Islam from confiscation of property;
2. Annulment of the law prohibiting cow-slaughter;
3. Repeal of the Arms Act of 1941;
4. Termination of the two scripts in the schools and the restoration of Urdu to its position of primacy;
5. Representation of Muslims in the State services according to the proportion of their population;
6. The institution of responsible government in the State;
7. Boycott of the Royal Commission of Enquiry.

Bread Agitation

Shortly after the inauguration of the Royal Commission Jammu and Kashmir State was rocked by the Bread Agitation. The prices of the food stuffs in the State had steeply risen after the outbreak of the War. In the Kashmir province, food stuffs were rationed and the prices of the food grains were subsidized by the State Government. Small quantities of grain were also distributed among the poorer sections of the people on nominal prices under the "Ankoot" system. "Ankoot" was an age-old practice in Kashmir, according to which the Rulers of the province distributed quantities of food grains among the poorer sections of the people during famines and periods of scarcity. In Jammu "Ankoot" was not in vogue and foodgrains were not rationed nor were the prices of the foodgrains subsidized.

During the summer of 1943, the prices of food grains in Jammu rapidly increased. The Government failed to regulate supplies of food stuffs in the Jammu province and the entire province was gripped by famine.[25] Jammu city was the worst effected. The people hungry and starving, ate tree leaves, roots and shrubs. Within days, a severe cholera epidemic broke out in the city. People died in hundreds.[26]

The National Conference, the Muslim Conference, Hindu Rajya Sabha and the Congress Committee in Jammu constituted a joint front to fight the famine. On 22nd August 1943, a week after the inauguration of the Royal Commission of Enquiry, the front gave an ultimatum to the Government to take immediate steps to improve the supplies of food grains in Jammu.[26] No steps were, however, taken by the Government. In the interior of the province, the situation turned worst. There were widespread and frenzied demonstrations against the State Government all over Jammu.[27] Kailash Narayan Haksar sent the Revenue Minister of the State, Himat Singh, to Jammu to make an on-the-spot enquiry. Himat Singh promised immediate help to the leaders of the Joint Front and returned to Srinagar.[28] However, no measures were taken to send succour to relieve distress of the people in Jammu, though the Government had adequate reserves of food grains in the two provinces.[29]

The State administration did not like the various political organisations to politicalise the situation in Jammu. The officials at Jammu were already angered up by the widespread demonstrations of the people against the government. On 22nd September 1943, while the Jammu city was smouldering in famine and cholera, the administration struck and arrested two senior leaders of the Hindu Rajya Sabha, Gopal Dutt Mengi and Kaviraj Vishnu Gupta, along with a number of other men.[30] The arrest of the leaders threw a wave of resentment among the people in Jammu. There were further demonstrations all over the city against the arrest of Hindu leaders. The people struck work and all trading and business centres and educational institutions were closed. Huge procession of people paraded in the streets shouting "Give us bread" and "Down with Himat Singh". During the following night the Government arrested more people. Among those arrested were a number of Muslim Conference leaders.[31]

The public demonstrations, against the Government, continued unabated the next day also. The State police resorted to batton charges to disperse the mobs in the streets. The demonstrators turned violent and retaliated in anger. A number of official vehicles were burnt in the fracas.[32] Late in the evening on 23rd of September, the Governor of Jammu imposed Rule 50, of the Defence of Jammu and Kashmir State Rules, in the Jammu city and banned all processions and meetings within the limits of the city and its adjoining areas. The town was handed over to the military authorities. Widespread arrests were made during the night of 23rd September, 1943.[33] The news of the arrests spread like wild fire. The next day people came out on the streets and huge mobs squatted round the city police headquarters and other public offices. The police resorted to repeated batton charges to disperse the mobs. The demonstrators struck back in anger. The troops, who had been called out to assist the police, opened fire on a procession of angry demonstrators which was converging on the centre of the city. Seven of the demonstrators were killed on the spot and a number of others were seriously injured. Two people died of their injuries later.[34]

The crisis shook the State Government. Hari Singh ordered two hundred thousand maunds of rice to be rushed from the adjoining township of Kathua to Jammu. The flour mills in Jammu city were taken over by the Governor of Jammu.[35]

The Ruler prorogued the First Session of the Praja Sabha which was scheduled to begin from the 25th of September, 1943. The Prime Minister of the State and the Revenue Minister were instructed to proceed to Jammu to supervise the relief operations there. A Commission of Enquiry was appointed to investigate into the causes of the firing.[36] On 26th of September 1943, the people of Jammu carried the mortal remains of the people who had fallen in the firing on 24th of September, to their last abode. The Hindus were cremated near the place where the Muslims were lowered into their graves. A martyre's memorial was later built over the place.[37]

The bread agitation in Jammu and the consequent firing in the Jammu town had serious repercussions in the Kashmir province. Mass meetings were held all over Srinagar against the police firings in Jammu. The food shortage was acute in Kashmir province as well and widespread demonstrations occurred in Srinagar and the other towns against firings in Jammu. The Government moved in quickly, and ordered for the increase in the rationed quota of the food grains and extended "Ankoot" distribution to the other townships of the province. Meanwhile Section 50 of the Defence of Jammu and Kashmir Rules, was promulgated in Srinagar and processions and public meetings all over the province were prohibited.

Failure of Royal Commission

Most of the members of the Enquiry Commission, including the Chairman of the Commission, Ganga Nath, were arch-conservatives and devoid of any political foresight. Though the Commission invited minutes of reference, memoranda and evidence from the general public and received considerable and detailed facts and data from various individuals and organisations, it did not carry on its deliberations in an atmosphere of trust and freedom. The Chairman imposed a number of limitations and restrictions on the members in so far as the discussions and the debates in the Commission were concerned. The national Conference submitted a minute to the Commission for its consideration. The minute underlined the reforms, the Conference sought to introduce in the State and among other measures included the introduction of responsible Government institutions, freedom of press and speech, improvement of the standards of the living of the people and the remission of heavier taxes, cesses and duties.[38]

Many of the members of the Commission were not, in any case, interested in any political reform and therefore, did not allow the Commission to deliberate upon such major issues as the institution of responsible government, the economic reorganisation, industrial and agricultural development, educational progress, freedom of press, plateform and expression etc. that were raised by the member who represented the different organisations in the Commission. Ganga Nath, particularly, refused the members of the Commission the permission to discuss the powers and position of the Ruler, the Ruling Dynasty, army, the judiciary, the jagirs, and the Private Departments. Ganga Nath interpreted the terms of the reference of the Commission, the way he deemed feasible.[39]

The National Conference leadership disapproved of the manner in which the deliberations of the Commission were conducted. Ghulam Mohammad Sadiq presented an elaborate report on the working of the

Commission to the Working Committee of the National Conference in the first week of February. The National Conferencne decided to recall its representatives from the Commission. Accordingly, on 28th of February, Ghulam Mohammad Sadiq and Miraza Afzal Beg withdrew from the Commission of Inquiry.[40]

The Muslim Conference lost no time to welcome the withdrawal of the National Conference from the Royal Commission. Chowdhry Ghulam Abbas Khan observed that the Muslim Conference "felt from the very start that the Commission of Enquiry would not be able to satisfy the masses. Its organisation and terms of reference were defective." Abbas added, "There is no representative left in the Commission, except Secretaries, Jagirdars and pro-Government men."[41]

Naya Kashmir

After the National Conference withdrew from the Royal Commission, Freda Bedi, an English woman, who was associated with the preparation of the memorandum the National Conference submitted to the Royal commission, suggested to the National Conference leaders to prepare a fresh and comprehensive plan for the naional reconstruction and political reform in the State.[42] The Conference leaders readily agreed. Freda Bedi prepared the plan on the basis of the materials and data which the National Conference had collected for the preparation of the memorandum to the Royal Commission. The plan, originally prepared by Bedi in English, was translated into Urdu by Maulana Sayeed Masoodi, the General Secretary of the Conference.[43] On 27th February 1944, the plan was presented to the Working Committee of the National Conference for its consideration. The Working Committee adopted the plan as the official policy manifesto of the National Conference and decided to submit the plan to the Ruler of the State for his consideration.[44]

Maharaja Hari Singh, who had been appointed a member of the British War Cabinet, returned to Srinagar, after an extensive tour of the War front in the Middle East. On his arrival in the State, he was given a warm reception by all the political parties including the National Conference and the Muslim Conference. "Naya Kashmir" Plan was presented by Sheikh Mohammad Abdullah to Maharaja Hari Singh in Srinagar. The Plan was adopted as the manifesto of the National Conference, in its annual session which was held in Srinagar on 29th September 1944.

The 'Naya Kashmir' formulated the institution of a Government in the State in which the Ruler acted as the Constitutional head of the State and the Government was constituted from among the members of the State legislature and in turn was responsible to the legislature. The Naya Kashmir plan proposed the institution of a Council of Ministers which was appointed by the Ruler from among the members of the Assembly. The Council was to be accountable to the Assembly and was to exercise the powers of administration in the State.[45] The administration was to be divided in a number of departments which were enumerated by the plan. These departments were, Defence, Foreign Affairs, Foreign trade, Railways, Communications, Cottage Industries, Industries, Transport, Agriculture and Animal Husbandry, Live Stock Food Grains, Finance and Banking, Trade, Home Affairs, Justice, Health, Education, Municipal Economy and Social Welfare.

The Naya Kashmir Plan proposed the institution of a National Assembly in the State, elected on the basis of universal adult franchise.[46] Separate electorates were to be abolished but during the transitional period, weightage was proposed to be given to Kashmiri Pandits, the Sikhs and the Harijans. The Plan proposed that for every forty thousand people in the State one member be elected to the State Assembly.

Special powers were to be reserved for the Ruler to:

i) convene the sessions and the extra-ordinary session of the National Assembly and dissolve the National Assembly;
ii) conduct a referendum on his own initiative or upon the demand of the majority of the National Assembly;
iii) declare general and partial mobilisation;
iv) ratify treaties approved by the National Assembly;
v) summon the leader of the majority party in the National Assembly to form the government in the State.

Powers of legislation were proposed by the plan, to be vested in the National Assembly. The subjects on which the Assembly was to legislate included: "Foreign affairs and treaties and foreign trade; alterations of the boundaries of the State; Defence, and the direction of armed forces; State monopoly in foreign trade; protection of State security; establishment of the National Economic Plan of the State; the State Budget; Banks, Industrial and agricultural establishments and trading enterprises; currency and the state insurance and loans; the means of transport; the use of land as well as the exploitation of deposits, forests, and waters; education; protection of public life; unified system of national economic accounting; labour laws; citizenship of the State and the rights of foreigners; legal procedure, court establishments, criminal and civil codes; broadcasting; protection and development of nationalities; archaeological survey; and the protection and rehabilitation of monuments; and the constitution of the State and all other aspects of national life."[47]

An important provision which the Naya Kashmir Plan envisaged was the inclusion of the principle of universal adult franchise in accordance with which the National Assembly of the State would be elected directly and by secret ballot. The Plan envisaged the right to vote for all people over eighteen years in age irrespective of sex, religion, social origin, educational qualifications, residential qualifications, property, status and position.[48] The minorities were to be given special franchise and secret ballot. During the transitional period, weightage was proposed to be given to Kashmiri Pandits, the Sikhs and the Harijans.

The Naya Kashmir Plan envisaged an independent judiciary in the State. The judiciary was proposed to be constitutued of a High Court with Peoples Courts at the District as well as Tehsil level. The Plan proposed that the Judges of the High Court would be elected by National Assembly of the State and Judges of the District and the Tehsil Courts would be appointed by the High Court. The peoples Courts were to be elected by the peoples' panchayats. The High Court was to be vested with the powers to supervise and direct all judicial functions of the government.[49]

A revolutionay feature of the Naya Kashmir Plan was the inclusion of a Bill of Rights in it. "The equality of the rights of all citizens", irrespective of their nationality,religion, race or birth, in all spheres of national life - economic, political, cultural and social- shall be an irrevocable law."[50] According to the stipulations of the Plan all citizens of the State were to be guaranteed right to freedom of conscience and worship, freedom of speech, freedom of press, freedom of assembly, freedom of "street processions and demonstrations", right to association in which would be included the right to constitute trade unions, cooperative societies, women's and youth organisations, self-defence organisations, political parties and cultural, scientific and technical societies. The Plan also sought to ensure inviolability of the person of all people in the State and proposed that no person would be subject to arrest or detention except by decision of a court of law or by the sanction of the "Advocate General or the State Advocate".[51]

The citizens of the State, the Plan proposed, were also to be ensured the rights of the privacy of homes and secrecy of correspondence, right to work, and right to wages "subject to a minimum and maximum wage establised by law", right to rest, right to material security, right to education, right to property within the limitis of the planned economy of the State."[52] All women in the States were to be granted equal rights with men in all fields of national life, economic, cultural, political, and in the State services".[53] All children were to be ensured equality of opportunity "irrespective of accidents of birth and parentage".[54]

The Naya Kashmir Plan also envisaged a number of obligatory duties for the citizens of the State. These included the defence of the motherland; universal military training; allegiance to the Constitution; obedience to the laws of the State; observance of labour discipline; and respect for the laws of the community.[55] The Plan also proposed the removal of all restrictions on rights, enumerated by it, liquidation of all privileges, and the prohibition of "national, racial or religious exceptionalism or hatred and contempt".[56]

The 'Naya Kashmir' Plan embodied a comprehensive National Economic Plan for the economic reconstruction of the State.[57] The National Economic Plan envisaged widespread planned development of industry, utility services, industrial cooperatives and communications. National Planning was aimed to secured:-[58]

a) National self-sufficiency;
b) Improvement of the standards of living which comprised adequate food, shelter and clothing besides provisions for social service; and,
c) Production for use and not for exchange in its application to the sphere of local production with modifications subject to the needs of national economy.

The objectives and aims which planning of the social and economic development sought to achieve, were listed in the Plan.[59] These were :

a) work for all able-bodied citizens and the elimination of parasites from the State economy;
b) right to work in accordance with the physical and mental capacities;
c) right to maintenance of children, students, aged and the infirm;
d) recognition of domestic work the house-wives and duties of motherland as socially useful work;
e) recognition of "brain work" as a form of socially necessary labour, but subject to the limitation that it was not allowed to become an instrurment of exploitation.

The National Economic Plan covered five major aspects of planning in the State. These included production, agricultural and industrial, transport, distribution, utility services, industrial cooperatives and currency and finance. To execute the National Economic Plan, the National Conference visualised the establishment of the Kashmir National Planning Commission. The Naya Kashmir Plan did not lay down any specific directives in regard to the organisation of the National Planning Commission nor were any specifications laid down by the Plan about its functions. Probably the leaders, who drafted the Plan, left the organisation and functions of the Commission to be determined by the Government.[60]

The most vital of the aspects of National Economic Plan was that which underlined principles of planned production. The Plan unequivocally advocated the socialisation of all instruments of production and the reorganisation of the property relationships which would ensure that economic power was not centralised in any section of society and the peasantry and the industrial working masses were not exploited for their economic dependence.[61]

The principles of planning agriculture were formulated in three separate categories, the first dealing with the necessity of reorganisation of property interests in the land, the second dealing with improvement in agricultural production and the third dealing with the organisation and functions of a National Agricultural Council, which would be vested with the responsibility of supervising planning of the agricultural sector.

Agricultural development was to be aimed at the achievement of self-sufficiency in essential food; the achievement of a balance in the cultivation of food crops; the production of raw materials and the crops of medicinal value; the improvement in the quality of crops; intensive and scientific methods of cultivation; the development of cultivable waste and fallow and its distribution among the peasant population on cooperative basis; development of animal husbandary, improvement of live stock, introduction of modern methods of dairy farming; cattle breeding; improvement in the production of milk products and their marketing; reorganisation of fruit cultivation, fruit marketing and preservation; development of silk worm and the silk production; development of bee keeping; development of fisheries; and the utilisation of timber, fuel and grazing grounds of the forests for the benefit of the people.[63]

National Agricultural Council proposed to be set up by the Plan was the highest agency of various levels of National Agriculture Councils which the Plan proposed to be established at district and the village levels. The National Agricultural Council was, therefore, proposed to head a structure of District Agricultural Councils appointed in villages. The village Agricultural Councils were to work in collaboration with the locally elected Panchayats. The functions of the National Agricultural Council and District Agricultural Councils were not described in detail in the Plan, but a detailed categorisation of the functions of the Village Agricltural Councils were made by the Plan. The Village Agricultural Councils were to advise the preparation of the cultivation plans for their own particular units and to supervise the execution of such plans; to take charge of the village cooperatives which would be incharge of all the cultivation in the area; supervise harvesting of crops, production of fruit and make arrangements for their storage, grading and transport; help and finance the marketing affairs of cooperatives; distribute profit-shares in the cooperatives; function as the treasury of funds distributed under the Plan; and coordinate cottage industries in the area in accordance with the general lines of the Plan.[64]

The most interesting feature of the part of the Plan dealing with the reorganisation and development of agriculture in the State was the inclusion of a "Peasants Charter", in the Plan.[65] The Charter was aimed to enure "the poor and exploited peasant of Jammu and Kashmir" his "true and rightful stature as a happy and prosperous citizen of the beautiful and renowned country." The "Peasants Charter" sought to secure the peasant population of the State :

a. right to work on land unless provided with alternative and congenial work on equal conditions;
b. transfer of all land belonging to landlords to the actual tillers;
c. guaranteed right to each peasant family to a higher standard of living in accordance with national norms;
d. right to maintenance from the village produce;
e. emancipation from all feudal dues, levies and forced labour;
f. from rural indebtedness and of rural credit;
g. right to social insurance;
h. protection against famine, flood, frost, crop pests, fire and cattle disease;
i. right to benefit from scientific developments in soil problems, crop cultivation, manures, irrigation, drainage, water supply, anti-erosion facilities, labour saving agricultural implements and machines, agricultural methods, cooperative packing, breeding

of domestic animals, poultry farming, production and improvement in quality of fodder and village sanitation;

j. cheap and speedy transport facilities;
k. cooperative marketing facilities;
l. right to benefits of local forest products and freedom from the harrasment of forest officials;
m. right to medical and nursing facilities;
n. provision of clean weather-proof healthy housing and drinking water;
o. right to recreation; and
p. right to education.

The economic conditions in the State, at the time the Plan was drawn up, undoubtedly warranted a heavier emphasis on reorganisation of the agriculture and its development in the State. The Plan, however, worked out in detail the specifics of industrial planning, the mechanics of the restructurisation of industrial relations and the objectives of industrial development.[66]

The plan obviously envisaged economic growth based on rapid industrial expansion, but the Plan put far greater emphasis on the reorganisation of over all property relations. The Plan underlined a total prohibition on private ownership of industry or industrial capital. The Plan envisaged an economic structure in which all key industries and industrial resources were owned by the State and exploited for the benefit and use of the working population and not for private profit. The Plan placed a specific embargo on interests of profit and the growth of property relations in which property came to be owned by a section of the society, leaving the rest of the population to depend on them. The Plan stipulated the abolition of big private capitalists; owership and management of all key industries by the State; abolition of all private monopolies; exploitation of forest wealth and mineral deposits by the State and the ownership of private small-scale industrial enterprise in strict conformity with the needs of the National Plan and subject to the supervision of the National Industrial Council.[67].

The Plan delimited four major principles according to which the industrial development of the State was to take place. These principles were :

a. necessary motive power;
b. suitable raw materials;
c. availability of trained and untrained labour; and
d. markets.[68]

The Plan proposed the establishment of National Industrial Council to direct and supervise the industrial planning. At the District and village levels, District Industrial Councils and the Village Industrial Councils were proposed to be estalished to supervise and control industrial planning at these local levels. Like the District and the Village Agricultural Councils, the District and the Village Industrial Councils were to function in collaboration with the Village Panchayats. District and Village Industrial Councils were proposed to be vested with the functions to facilitate the work of the National Industrial Council; give expression to local needs, difficulties and link industrial planning to the life of the people; suggest modifications in the scope of the Plan according to the local experience; undertake research and collect materials for the use of the National Planning Commission; to control the appointment, removal and supervision of local planning staff; and to control and direct the development of cottage industries according to the Plan of Industrial cooperatives by means of special committees.[69]

A special planning procedure was incorporated in the National Economic Plan to ensure the development of handicrafts and the cottage industries of the State. Two basic principles were laid down by the Plan to form the basis of the reorganisation and the development of the cottage industries and handicrafts in the State. These principles underlined the establishment of cooperative organisation of handicraft workers in order that they were delivered from exploitation of the intermediaries and profiteers, and introduce small machinery in the manufacture of handicrafts in order to emancipate the craftsmen of their drudgery and increase their out-put.[70]

A significant feature of the proposed principles for industrial development was the inclusion of a Worker's Charter in the Plan. The Charter envisaged a number of basic rights and conditions which were to be secured for the working masses of the State. These rights included:[71]

a. the right of the workers to demand work from the State in accordance with their physical and mental capacity;
b. right to work consistent with the honour and self-respect of the workers;
c. right to be higher standard of living;
d. right to form associations and trade unions;
e. right to freedom of occupation;
f. right to collective bargaining;

g. compulsory arbitration of labour disputes;
h. right to eight hours working day;
i. right to weekly wages;
j. right to receive equal wages for equal work, without any discrimination of race or sex;
k. right to a fortnight's annual leave with pay in full and one day's holiday per week on full pay;
l. right to social insurance in case of sickness, old age, accident, and maternity relief;
m. right to pension for dependents in case of premature death;
n. provision of health housing and healthy locality;
o. abolition of the employment of children under the age of fifteen years;
p. protection of women workers in accordance with the specification of the Women's Charter;
q. recruitment of labour, through Trade Unions;
r. right to cheap and speedy transport facilities;
s. right to free medical and nursing facilities; and
t. right to recreation, right to education, both academic and technical.

Besides the proposed reorganistion of property relations, the National Economic Plan also envisaged a planned and controlled system of economic distribution in the State. The Jammu and Kashmir National Conference lays emphasis on the realisation that distribution is a vital cornerstone of any planned economy and that evils of industrialisation can and should be avoided if there is any equitable system of distribution."[72] The National Economic Plan envisaged the reorganisation of distribution and marketing on cooperative basis. The principles on which the distributive system would be based were enumerated by the Plan. They were :

a. all working men, women and children in the State were to be guaranteed against want;
b. no 'social parasites' were to be granted any share of national wealth and commercial profiteering was to be abolished;
c. trade was to be organised on cooperative basis for essential goods;
d. cooperative trading was to be introduced in the distribution of the foodgrains;
e. private enterprise was to be permitted within the framework of the National Economic Plan and was to be allowed only to

operate under strict supervision of the National Marketing Council; and

f. State was to take over all foreign trade.

The Plan also dealt with, in detail, the finance and currency system in the State. Perhaps, not conversant with the operatives and mechanisms of public finance, the framers of the Plan were unable to propose a coordinated and stable financial structure for the State. The Conference leaders recognised the necessity of nationalising the banks, regulating currency at the national level and organising public finance on state basis. The Plan envisaged the establishment of a National Economic Council, consisting of financial experts and banks to devise a financial plan for the State in collaboration with the national Planning Commission. The plan proposed the reconstruction of the entire credit machinery of the State, which would terminate usury and money-lending in all its forms and provide banking facilities to all people. An interesting measure, the Plan envisaged, was with regard to State borrowing which the plan proposed to advance the interests of the State. The State borrowing was scheduled to be undertaken from the savings of the citizens or from sources outside the State.[74]

The Plan proposed the establishment of a National Education Council which would be vested with the task of preparing a scheme of development and improvement of education in the State. The Plan also envisaged the establishment of a National Health Council, to be constituted of people from the medical profession. The Council was to strive to improve the existing medical facilities and build an efficient health service in the State.[75]

The Naya Kashmir Plan carried with it a Charter of women's rights, which it called 'the Women's Charter'. The Charter embodied the rights and privileges which the Plan specifically proposed for the women of the State. These rights were classified in six categories:[76] political, economic, social, legal, educational and cultural. The plan proposed that all women be ensured the right to vote, right to be elected to elective bodies, right to be consulted in affairs which concern women and right to enter State services. All women were to be ensured the economic rights of equal pay for equal work, rights to enter any trade and profession, right to benefits of social insurance, right to rest, right to vacations and right to protection against work during nights and unhealthy work not suited to women. All women were to be ensure right to ante-natal care and treatment, medical facilities, adequate arrangements for nursing, right to maternity leave, right to nurseries and child care in factories during working hours and right to family allowance for women who had to support large families. Recognising the family as the basic social unit, the Women's Charter proposed;[77]

a. that the status of women be protected by law;
b. that all women be protected from trafficking;
c. prostitution be ended;
d. a special study be made of the disabilities, women of backward tribes and areas, suffered.

The Charter sought to secure all women: redemption from the evil of dowry, prohibition of sale and trafficking in women, the right to divorce and alimony, right and responsibility in the upbringing of children and the right to the custody of children and the right to the custody of children if divorced, and right to humane and intelligent treatment in jails. The Charter also sought to secure the women of the State right to compulsory and free education. The Charter further envisaged the recognition of special needs of women in the formulation of educational curricula. The cultural rights, the women's Charter, sought to secure included right to cultural education, right to cultural services, special right of women in villages and remote areas to cultural development.

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8

Jinnah & Kashmir

In October, 1943, prominent Muslim League leaders from the Punjab, Nawab of Mamdot, Mian Mumtaz Daultana and Raja Gaznaffar Ali Khan came to Kashmir. During their stay in Srinagar, the League leaders sent emissaries to Sheikh Mohammad Abdullah and some other senior leaders of the Muslim Conference. Sheikh Mohammad Abdullah, Bakhshi Ghulam Mohammad, Ghulam Mohammad Sadiq and Maulana Masoodi held a number of secret meetings with the League leaders.[1] The other senior leaders of the Conference among whom were Mian Ahmad Yar, Kashyap Bandhu and Gulzari Lal Anand, were never told about the confabulations between the League leaders and the Muslim leaders of the National Conference. Even the President of the Conference, Sardar Budh Singh was kept ignorant of meetings between the Conference leaders and the League leaders.[2] The League leaders explained to Sheikh Mohammad Abdullah and his associates that the internecine strife among the Muslims and the division between the National Conference and the Muslim Conference had harmed the Muslims in the State.[3]

The League leaders advised the National Conference leaders to bury their differences with the Muslim Conference and forge a joint front for the emancipation of the Muslims in the State. The League leaders assured the Conference leaders that the League would support a united movement for their freedom and emancipation.[4]

Sheikh Mohammad Abdullah gave to the League leaders a detailed account of the Muslim movement in the State, its conversion into National Conference and the objectives of the movement the National Conference led. Sheikh Mohammad Abdullah pointed out to the Muslim League leaders the difficulties the Muslim Conference had faced, identified the forces the Conference had to reckon with in its struggle against the Dogra Ruler, the State Government and the active and articulate Hindu minority in the State. He disclosed to the League leaders that any constitutional reform in the State could be secured only after the cooperation of the minorities had been sought, and a joint front was forged to contain the Rajput absolutism of the Dogras. Sheikh Mohammad Abdullah further pointed out that a confrontation with the State Government based on purely religious and communal lines, was bound to lead to wasteful communal contest.[5]

The League leaders asked Sheikh Mohammad Abdullah and his associates to meet Mohammad Ali Jinnah and seek his advice and help in bringing about unity among Muslims in the State. Sheikh Mohammad Abdullah and the other Muslim leaders of the National Conference agreed to send a delegation of National Conference leaders to meet Mohammad Ali Jinnah.

In January 1944, the National Conference sent Maulana Sayeed Masoodi, a trusted colleague of Sheikh Mohammad Abdullah and Ghulam Mohammad Sadiq, a moderate Marxist on the secret mission to meet Jinnah.[6] In Lahore, the two leaders contacted Nawab of Mamdot, who, it had been decided in Srinagar, would accompany them to Delhi, where they would meet Jinnah. In Lahore Sadiq was taken ill and was compelled to break off his journey at Delhi, leaving Maulana Masoodi alone, to go to Delhi and meet Jinnah.[7]

At Delhi, Maulana Masoodi had long discussions with Jinnah. Sly and shrewd Masoodi committed himself to nothing and promised Jinnah that he would apprise Sheikh Mohammad Abdullah of the suggestions the latter had made. Jinnah offered to meet Sheikh Mohammad Abdullah, if the latter could come to Bombay. He also expressed his readiness to come to Kashmir to settle the differences between the National Conference and the Muslim Conference.[8]

The events which led to the confabulations between the leaders of the National Conference and the leaders of the Muslim League brought to surface a number of political and ideological contradictions inside the Conference. In the first place it became clear that the leaders and ranks of the National Conference had not completely abandoned most of the ideological postulates they had inherited from the Muslim Conference and the quest for Muslim precedence continued to dominate their outlook. A section of the conservative Muslims did not approve of the close relations of the Conference with the Congress and the All India States People's Conference. Many of the Conference leaders did not approve of the decision of the Conference to reject the division of India.[8] Many of the senior leaders wanted the Conference to keep its options open with regard the division of India and steer clear of both the Congress movement for Indian independence and the League movement for Pakistan.[9] Many of the National Conference leaders did not want to come into conflict with the Ruler and instead wanted to accept him as a constitutional head, and ensure that the movement in the State did not cross the State frontiers.

Meanwhile the other leaders of the National Conference came to know about the secret confabulations between the Conference leaders and the Muslim League leaders. A number of the Conference leaders, particularly the Hindu and Sikhs, expressed their misgivings about these negotiations.[10] Sheikh Mohammad Abdullah, however, brushed aside the objections and took the plea that the National Conference was fighting the battle for constitutional reforms in the State and the Conference would welcome help and support from Mohammad Ali Jinnah and the other League leaders. Sheikh Mohammad Abdullah pointed out that the policies and the programames of the National Conference would be strengthened if the state of confrontation between the National Conference and the Muslim Conference came to an end.[11] Sheikh Mohammad Abdullah however, reiterated that the national Conference would not change its stand on Hindu-Muslim unity.

Jinnah's Visit

The Working Committee of the National Conference met in Jammu on 6th and 7th of February 1944, to discuss the issues involved in the parlays between the Conference leaders and the leaders of the Muslim League. Obviously, the National Conference leaders were particular to formalise the negotiations they had carried on with the League leaders. Sheikh Mohammad Abdullah,Maulana Masoodi and Ghulam Mohammad Sadiq laid down before the Working Committee a report on the content of the talks between the National Conference leaders and the League leaders. A long and protracted disussion on the Conference-League negotiations took place in the Working Committee.[12] A number of the Working Committee members disapproved of the secret talks the National Conference leaders had initiated with the League leaders and urged for the abandoment of any further negotiations with the League. They pointed out that the Muslim League would never support the struggle for constitutional reform in the State and the movement for liberation led by the National Conference. They also pointed out that the League leaders would not support the Conference in its quest for Hindu-Muslim unity and would ultimately lead to the disintegration of the National Conference.[13] Sheikh Mohammad Abdullah and the other Muslim leaders in the Committee, however, took a different position and pleaded with the other members " to give a fair trial to the Muslim League.[14]" Sheikh Mohammad Abdullah observed that there was no reason why the National Conference "needed to close its doors if the League offered to support the movement for constitutional reform in the State."[15]

The Working Committee finally approved of the talks the Conference leaders had held with the League leaders. The Committee also approved of the discussions between Maulana Masoodi and Mohammad Ali Jinnah when Masoodi had gone to see the latter in Delhi.[15] The Committee further authorised Sheikh Mohammad Abdullah to continue negotiations with the League leaders and himself go to Delhi and meet Mohammad Ali Jinnah there.[16] The Working Committee authorised Sheikh Mohammad Abdullah to extend an invitation to Mohammad Ali Jinnah to visit Kashmir. In fact, Mohammad Ali Jinnah had offered to come to Kashmir, when Maulana Masoodi had met him and use his good offices to settle the differences between the National Conference and the Muslim Conference.

Sheikh Mohammad Abdullah accompanied by Bakshi Ghulam Mohammad, met Mohammad Ali Jinnah in Delhi, on 18th February, 1944.[17] Jinnah, in unambiguous terms, told the Conference leaders that he and the Muslim League would not accept any constitutional structure for India, which did not provide for the separation and independence of the Muslim majority province. Jinnah told Sheikh Mohammad Abdullah and Bakshi that, he would like the Muslims in the State of Jammu and Kashmir to unite and support the Muslim League struggle for Pakistan. He offered the Conference leaders complete support in their struggle for constitutional reforms.[18] Jinnah agreed to visit the State, after the Conference leaders conveyed to him the Working Committee resolution, inviting him to visit Kashmir. Though the Conference leaders did not commit themselves to anything Jinnah proposed, they appreciated his endeavours to bring the National Conference and the Muslim Conference close.

Jinnah visited Kashmir in May, 1944. He reached Jammu on 8th of May, 1944. A rousing reception was given to the Muslim League leader in the town by the Muslims of Jammu. Large number of Muslims came to Jammu to participate in the reception from almost entire interior of Jammu province. The next day Jinnah left for Srinagar by the Banihal-Cart road.

All along the way to Srinagar, Jinnah was stopped on wayside stations by Muslims who presented addresses of welcome to him and hailed him as their Saviour.

Jinnah reached Srinagar on 10th May 1944, in the afternoon and drove straight to Pratap Park where the National Conference had organised a civic reception in his honour. He was accompanied by Chowdhry Ghulam Abbas and Bakshi Ghulam Mohammad. On the rostrum Jinnah was received by Sheikh Mohammad Abdullah and the two leaders embraced each other. Sardar Budh Singh, Jia Lal Kilam and Girdhari Lal Anand were among the Hindu and Sikh leaders present on the occasion.[19]

Pandit Jia Kilam, member of the Working Committee of the National Conference, presented the address of welcome of the League leader. Immediately after Sheikh Mohammad Abdullah read to Jinnah an Urdu rendering of the address. In his address Kilam observed that freedom was the birth right of the people of Kashmir, who had risen to shake off their shackles and that all the people irrespective of their caste, creed and religion in Jammu and Kashmir had united to realise self-government. "The responsible self-government was the only way to realise the political and economic emancipation of the people of the State" Kilam observed.[20] Kilam expressed the hope that freedom loving people in the country and all the political organisations in India would support the people of Kashmir in their struggle for their emancipation and freedom.

In his reply Jinnah thanked the people for the ovation and affection they had bestowed on him as the President of the Muslim League. Jinnah, obviously unmoved and unimpressed by Kilam's address, added, that he was the leader of the ten Crores of the Indian Muslims and he would convey to them the feelings of fraternal regard and love the people of Kashmir had for them. He added that, "the ten Crores of the Indian Muslims were with the people of Kashmir in their struggle for freedom."[21]

Jinnah's address gave a severe jolt to Sheikh Mohammad Abdullah and came down like a heavy blow on the Hindus and Sikhs in the National Conference. Without mincing any words Jinnah conveyed to the Conference leaders that he was not concerned with the people who belonged to other faiths than Islam. Embarrassed and humiliated, Kilam stood up and defiantly walked down the rostrum and out of the concourse. The other Hindu and Sikh leaders followed him.[22] Kilam made no mistake about what Jinnah had said and threw back the ganutlet in his face. The walkout made little impression on Jinnah, possibly because he had ripped the

National Conference in his first encounter with its leadership. The Muslim leaders of the Conference were, however, disparaged at what had happened. Jinnah had, in clear terms, refused to recognise any movement which was not Muslim in outlook and content, and which did not operate within the perspectives of the Indian Muslim League.

After the reception was over, Jinnah was escorted to Dalgate, a place close by, where the Muslim Conference had organised another huge reception for him. The Muslim Conference leaders also presented an address of welcome to the League leader, in which the Conference leaders pledged their support to Pakistan and offered "any sacrifice they were required to make for its realisation."[23] The Muslim Conference leaders assured Jinnah that the Muslims in the State were a part of the Muslim nation of India and recognised him as their leader and the All India Muslim League as their sole representative organisation. Jinnah reiterated what he had said earlier and added that in Jammu and Kashmir the majority of the people was Muslim and since they were one, they should unite under one banner and fight for one cause. In unequivocal terms Jinnah declared that the Muslims all over India were one and indivisible and their aim was to seek the realisation of a Muslim nation in India.[24]

The Great Divide

The speeches and statements made by Jinnah caused a severe division in the rank and file of the National Conference. The Hindus and the Sikhs, even a sizeable number of radical Muslim leaders of the Conference saddened by the outright advocacy of the Muslim League for the division of India. The Hindu and the Sikh leaders charged the Conference leaders of betrayal. They told the Muslim leaders that Jinnah had expressed his feelings and there were few doubts what he wanted.[25] In a meeting of the Working Committee of the Conference, Kilam and other Hindu leaders told Sheikh Mohammad Abdullah, Masoodi and Bakhshi that Jinnah had not addressed the National Conference, but the Muslims in the National Conference. In anger, he told the Conference leaders that no Hindu or Sikh in the Conference would allow the Conference to be tagged to the Muslim League. He and the other Hindu leaders accused the Muslim leaders that they had brought the Conference to the brink of disaster. He told the Conference leader that the National Conference had been organised on the basis of Indian unity and the freedom of the State's people in India. "The Conference could not be used as a handmade for Muslim communalism. Hindus and Sikhs in the State were not mercenaries and could not be taken for granted."[26] He questioned the propriety of opening negotiations with the League leaders and charged Sheikh Mohammad Abdullah of having played in the hands of the conservative Muslims who had been joined by the communists to seek disengagement of the National conference from the national movement in India. He asked Sheikh Mohammad Abdullah to report on what had transpired between him and Jinnah at Delhi. He asked the Conference leaders to clearly indicate whether they had decided to wind up the National Conference and return to Muslim Conference where they could seek the creation of Pakistan. Most of the Hindu leaders and cadres in the Conference joined Kilam in his protest against what had happened.[27]

While Jinnah was in Srinagar, Sheikh Mohammad Abdullah, Bakhshi Ghulam Mohammad, Sadiq and Masoodi and other leaders of the National Conference met him. Jinnah gradually hardened his attitude and slowly spelt out his mind to the Conference leaders. He insisted upon the unity of the Muslims in the State, the commitment to the Muslim League and the struggle for Pakistan. He refused to ask the Muslim Conference and instead asked the National Conference leaders to delink the Conference from the Indian National Congress.[28]

Sheikh Mohammad Abdullah soon realised that Jinnah in spite of the pursuasion, was not inclined to support the National Conference movement for political reforms nor was he ready to ask the Muslim Conference leaders to support Sheikh Mohammad Abdullah unless the National Conference accepted to support the League and the demand for Pakistan. The disillusionment came when the emissaries of Sheikh Mohammad Abdullah were informed by Jinnah that Sheikh Mohammad Abdullah and his supporters must unite under the banner of Muslim Conference and support Muslim League and its demand for a separate Muslim State in India.[29] Jinnah clearly indicated that Muslims were a separate nation and any efforts of unity with the Hindus were bound to prove futile and deserved to be abandoned forthwith.

Sheikh Mohammad Abdullah had a number of meetings with Mohammad Ali Jinnah.

1. The reunification of National Conference with Muslim Conference.
2. The reorganization of all the Muslims in the State under the banner of the Muslim Conference.

3. Acceptance of the principle of Muslim nationalism and the unification of the Muslims in the State and the rejection of the principle of secularisation of politics.
4. Disengagement of the National Conference from the All India States Peoples' Conference and the Indian National Congress.

Jinnah disapproved of the movement for constitutional reforms the National Conference had been leading in the State, and blamed the National Conference leaders of having played in the hands of the Indian National Congress. He refused to agree to advise the Muslim Conference leaders, particularly, Chowdhry Ghulam Abbas to accept the leadership of Sheikh Mohammad Abdullah. In fact he asked the National Conference leaders to give up their pretensions of National leadership in the State and join the Muslim Conference leaders in their struggle for the unity of the Muslim in the State and their emancipation from the Hindu domination.

Jinnah's Predicament

Frightened that the National Conference would be further isolated from both the Muslims and the Hindus in the State, Sheikh Mohammad Abdullah quickly wheeled round to retrieve the ground which the Conference was fast loosing. He called off his negotiations with Jinnah.

On 18th May, 1944, Sheikh Mohammad Abdullah called a meeting of the Working Committee of the National Conference. The Committee unanimously adopted a resolution rejecting the League demand for the division of India and the creation of separate homeland for the Indian Muslims. The Working Committee reiterated its faith in the political unity of India and its resolve to support all forces which struggle for the unity of India and the termination of the British rule.[31]

The resolution of the Working Committee clinched the issues and ended the negotiations between the National Conference leaders and the League leaders. Jinnah was put on the defensive. He had seen that Moulvi Mohammad Yousuf Shah was a religious preacher and the most prominent of the Muslim Conference leaders in Kashmir did not possess the qualities of leadership and could not carry the Muslims of Kashmir with him. In the Muslim Conference leadership none else wielded any substantial influence among the Muslims in Kashmir. Chowdhry Abbas, in fact, the most influential Muslim leader enjoyed considerable Muslim support in Jammu, but he enjoyed little or no support among the Muslims in Kashmir, who were averse to the Punjabi speaking Muslims of Jammu. Chowdhry Abbas did not enjoy support among the Muslims in Poonch and the Muslims of Kashmiri origin in the north and eastern regions of Jammu, who also were averse to the Jammu Muslims.

Jinnah was disaparaged at the resolution of the National Conference. But he did not give up his efforts to pursuade Sheikh Mohammad Abdullah and the other leaders to come to terms with the Muslim Conference leaders and disengage the Conference from the Indian National Congress. However, Sheikh Mohammad Abdullah told him that he could not take a decision on such basic issues which involved changes in the outlook of the Conference. He invited Jinnah to attend a meeting of the General Council of the National Conference to ascertain the views of the members of the General Council. Sheikh Mohammad Abdullah pointed out to Jinnah that the Members of the General Council of the Conference alone could take a decision on such a vital issue.[32] Jinnah, well aware of the widespread acceptance of Indian unity and Indian independence among the cadres of the National Conference, avoided to attend the meeting of the General Council of the Conference. Instead he suggested a meeting between Sheikh Mohammad Abdullah and Chowdhry Ghulam Abbas. The meeting between Chowdhry Abbas and Sheikh Mohammad Abdullah ended in a deadlock. The two leaders, as was anticipated, did not reach an agreement. Jinnah's mission in Srinagar had failed.

On 19th May 1944, Chowdhry Abbas mounted a severe attack on the National Conference and its leaders. In order to drive the edge deeper, he openly declared that the followers of the National Conference, Kashmiri Pandits, Sikhs and the Hindus in Jammu were enemies of Islam and exhorted the Muslims in the State to unite against them. He charged the National Conference of being backed by the State Government and claimed that if the police and military were withdrawn the Muslim Conference would wipe off the National Conference.[33]

Sheikh Mohammad Abdullah, perhaps, not prepared to offend Jinnah, did not retaliate. But it was clear that he was gradually preparing for a showdown with the Muslim Conference. In fact, the National Conference leaders wanted to avoid a confrontation with Jinnah, whom they had invited to Kashmir to help in the unification of the Muslims.

Jinnah was completely disenchanted with the National Conference leaders and though not openly, but in meetings within the Muslim Conference leaders that Sheikh Mohammad Abdullah and his main supporters had "been sold to Pandit Jawaharlal Nehru" and the other leaders of the Conference were apprised of these developments.

Sheikh Mohammad Abdullah declared that he could not accept the League demand for Muslim separatism and the dissolution of the National Conference. "The National Conference has been based on the principles of the national unity and therefore me or any other leader has no power to change its commitments. The National Conference will never support the demand for the division of the country. The Conference supports a united India".

Muslim Conference Annual Session

In the first week of June, the Working Committee of the Muslim Conference decided to hold the annual session of the Muslim Conference in Srinagar. Jinnah was also consulted and it was agreed upon that the convention would begin on 16th June, and continue for three days.[34] The representatives of the Conference met the Prime Minister of the State and secured his permission to hold the Convention in Srinagar. The Prime Minister, however, did not agree to allow a public procession to be taken out in Srinagar on the ground that it would lead to trouble between the National Conference and Muslim Conference. Chowdhry Gulam Abbas was elected the President of the session.[35] Jinnah attended the Muslim Conference session as a special guest. The session was attended by thousands of Muslims. In his address, Abbas underlined the evolution of the Muslim movement in the State and candid terms declared that the Muslim Conference supported the League resolution for Pakistan and would 'fight along side with the Muslims in India for the realisation of their dreams."[36] Without mincing words he reiterated that Muslims were a separate nation and they would live as a separate nation." Abbas declared that attempts to "drive the Muslims into the fold of nationalism were aimed to defraud them and subject them to the dominance of the Hindu majority in India. "In Jammu and Kashmir", Abbas said, "The Muslims would never accept the Hindu hegemony and would fight to the last against the forces and agents of the Hindu Congress in the State."[37] Jinnah speaking to more than hundred thousand Muslims mounted a sharp attack on the National Conference. He claimed that nintynine percent of the people in the State had told him that the Muslim Conference alone represented the Muslims in the State. Jinnah added that for the eight years the National Conference had been in existence, the Hindus and the Sikhs had not joined its ranks and Muslims alone constituted its flanks. Jinnah said that the claims of a united India were based on fraud and were aimed to subjugate the Muslims. Jinnah reiterated the demand for a separate homeland for the Muslims in India and claimed that the Muslim countries of Turkey, Iran and Afghanistan supported the Indian Muslims in their demand for Pakistan.[38]

The resolutions for the division of India and demand for Pakistan were passed in a deafening roar of applause in the open session of the Conference.[39] The other resolution which the Conference adopted envisaged:

1. Institution of responsible government in the State;
2. the abrogation of legal prohibition on cow-slaughter;
3. the abrogation of the Arms Act of 1941;
4. the amendment of the Hindu Law of Inheritence and the abrogation of property on conversion to other religions; and
5. the reservation of employments for the Muslims in the State services in proportion to their population.[40]

Jinnah's address in the Muslim Conference session flustered Sheikh Mohammad Abdullah and the other leaders of the National Conference. The Support Jinnah gave to Mirwaiz Yousouf Shah and Chowdhry Ghulam Abbas boosted the morals of the Muslim Conference among the Muslims in the State. The Muslim Conference leaders spared no efforts to take the maximum benefit of the support Jinnah offered them and actually settled to vigoursly organise the Muslim Conference in the State with redoubled zeal.

Jinnah, however, failed to realise that the Muslim movement in Kashmir had been greatly inspired by Sheikh Mohammad Abdullah. Sheikh's popularity had not waned even after the conversion of the Muslim Conference into the National Conference. Mirwaiz Yousouf Shah or Chowdhry Ghulam Abbas did not yield as much influence among the Muslims of the State particularly among the vast masses of the Muslims in the Kashmir Province.

Parting Ways

After the Muslim Conference session Sheikh Mohammad Abdullah issued a long statement in which he stressed that he favoured unity of all the communities in the State. He said that he had always yearned for the unity of the Muslims but unity could only be achieved on the basis of certain basic and mutually accepted principles. Sheikh Mohammad Abdullah declared that he and his followers in the National Conference supported the principles of national unity and Indian independence from foreign rule, and did not accept the principles of Muslim nationalisms and the creation of Pakistan. Sheikh Mohammad Abdullah disclosed that he had offered to the Muslim Conference leaders and Mohammad Ali Jinnah to joint the movement for political reforms and economic emancipation of the people in the State and had assured Jinnah that the rank and file of the National Conference would welcome the unity of not only the Muslims in the State but all the communities. Sheikh Mohammad Abdullah disclosed that Jinnah as well as the Muslim Conference leaders had insisted upon the dissolution of the National Conference and the acceptance of the League demand for Pakistan. Sheikh Mohammad Abdullah declared that he could not accept the League demand for Muslim separatism and the dissolution of the National Conference. "The National Conference has been based on the principles of the national unity and therefore, me or any other leader has no power to change its commitments. The National Conference will never support the demand for the division of the country. The Conference supports a united India."[41]

Jinnah left Srinagar in the last week of July 1944. On the eve of his departure Jinnah ended all doubts about his attitude towards the National Conference. In a statement Jinnah said that both the Muslim Conference and the National Conference had shown their eagerness to settle the disputes between them and requested him to mediate. Jinnah recalled that he had tried to bring about a reconciliation between the two sides. "But it is regretable", Jinnah observed "that when after sufficient consideration, I decided that the Muslims should organise themselves under one banner, Sheikh Mohammad Abdullah not only did not accept this advice but also as is his habit, and this habit has become second nature with him, used extremely insulting language in reference to me and even resorted to abuse."[42] The breach between the Muslim League and the National Conference was complete.

On his way to Rawalpindi, Mohammad Ali Jinnah was requested by the Muslim Conference unit at Baramullah, a small township on the Jhelum Valley Road, to address a meeting of the Muslim Conference there. No sooner than Jinnah reached the venue of the meeting, a section of the crowd, presumably, composed of the supporters of the National Conference, attempted to break up the assembly. They threw brickbats and stones on the Muslim Conference workers and two of Jinnah's aides were injured.

Pandemonium prevailed in the meeting and Mohammad Ali Jinnah was not allowed to deliver his address. Police intervened and Jinnah was carried to Kohala bridge, the last outpost of the State territory on the Srinagar-Rawalpindi Road, under the protection of the police guards.[43]

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9

Dyarchy

In October 1944, the Ruler of the State, Maharaja Hari Singh announced by a proclamation his intention to appoint two ministers to his Council from among the members of the Praja Sabha. The Proclamation of the Ruler provided that the Praja Sabha would elect six members from among the elected members of the Sabha and would submit the panel of the members so elected, to the Ruler. Consequently, the Ruler would appoint two Ministers from the panel, one of whom would be a Muslim and the other a Hindu. The two Ministers would be accountable to the Ruler and remain in office, so long they enjoyed his confidence. The proclamation read :-

> "With a view to giving further effect to my policy of associating my subjects with the administration of the State, I have after careful consideration, decided to call upon the Praja Sabha to nominate a panel of six (three to be Muslims) of its members, three from Jammu (including frontier Districts). Out of the panel so nominated I shall appoint two (one of whom will be a Muslim) as my Ministers. These Ministers shall hold office during my pleasure."[1]

Erroneously, the scheme, envisaged by the Proclamation, came to be called "Dyarchy". Actually members nominated by the Sabha were responsible to the Ruler and remained in office till they enjoyed his confidence. No division of powers was introduced in the authority of the Council and therefore, no separate and independent sphere of powers was allocated to them. The power to distribute portfolios among the Ministers was reserved by the Ruler to himself.

The National Conference accepted the scheme of Dyarchy. The Conference leaders maintained :-

1. that Dyarchy was a half-way measure towards responsible government and should therefore be given a trial; and
2. that while accepting the scheme, the National Conference would make it clear to the Ruler that Dyarchy did not satisfy the aspirations of the people.[2]

Muslim Conference rejected the scheme outright. The Muslim Conference charged the Government of having instituted Dyarchy to divide the Muslims in the State. "The acceptance of Dyarchy", *Milat*, the organ of the Muslim Conference commented, "would have reduced the Muslim Conference to a propaganda department of the irresponsible government.:[3]

On the recommendation of the Praja Sabha, Maharaja Hari Singh appointed Wazir Ganga Ram, and Mirza Afzal Beg as the two Minisiters, representing the Sabha. Wazir Ganga Ram was a Hindu from Jammu, who had served the State Government in different capacities and had been elected to the Sabha as an independent candidate. Mirza Afzal Beg was the deputy leader of the Parliamentary Party of the National Congress in the Praja Sabha.

Defects of Dyarchy

The system of dyarchy had many inherent defects and contradictions. The two ministers were appointed to their office on the mandate of the Praja Sabha. Instead of being answerable to the Sabha, they were bound in their responsibility to the Ruler. In effect, the Ministers found themselves responsible to both, the Sabha which had vested them with its mandate and the Ruler who had appointed them the Members of his Council.[4]

The main object of appointing the two Ministers from the elected representatives of the Sabha, was to seek a measure of administrative accuntability. It was presumed that participation of the elected members of the Sabha in the Government would introduce an element which would be representative in character and responsible in outlook. This was, however, the gravest misunderstanding which was entertained about the entire scheme. Actually the ministers who were apparently charged to carry out the mandate of the Sabha, were fused into the Council of Ministers and placed under the command of the Prime Minister. The structural frame of the Council was compact and closed. Generally the Prime Ministers, who headed the Council of Ministers from time to time, were diehard bureaucrats, most of whom did not possess any political foresight. Most of the other Ministers in the Council were hardly capable of realising the necessity of widening the basis of power and authority in the State or the necessity of instituting more representative and responsive political institutions.[5]

In the Council, the two Ministers from the Sabha represented a distinctly different outlook, which could not be reconciled to the policies the Prime Minister or other Ministers followed. The two lines of approach were divergent and did not meet.[6] The Prime Minister and the other Ministers with the authoriy they weilded dragged the two Ministers with them. The moment Afzal Beg refused to trail behind the Council he had to relinguish his office. The two Ministers faced three major difficulties.

i) They could not disagree with the other members of the Council because any such disagreements could neither be palatable to the Prime Minister nor to the other members of the Council who constituted the majority in the Council.
ii) They could not make the differences within the Council was a matter of public debate because the Council was expected to be a cohesive and corporate body.
iii) They could not take effective decisions with regard to their own ministers without the support of the other Ministers and the sanction of the Prime Minister.

The Ministers were vested with little initiative to influence the policy formulation of the State Government. The ultimate power with regard to policy decisions continued to remain with the Ruler and his Prime Minister. The Council functioned as an executive instrument of the Ruler, and the area of discretion which was vested with it, was ultimately subject to the authority of the Ruler. The Council of Minister constituting the political executive, actually carried out the instructions of the Ruler. As an integral part of the Council, the two Ministers could hardly influence the decision making processes in the State. They were subject to the direction and control of the Prime Minister and the Ruler in the same way as the other two Ministers were.[7]

Two further considerations governed the appointment of the Ministers. One of the Ministers was to be a Hindu, the other a Muslim and simultaneously one of them was to be from Jammu and the other from Kashmir. Accordingly the appointment of the Ministers was subject to extraneous conditions which bound them to regional and communal commitments.

Dyarchy, in effect, did not envisage any measure of responsibility. The very basis on which it was founded was untenable. The fact that the Praja Sabha was given the right to nominate a panel of six members from whom the Ruler was given the right to select a Muslim and a Hindu Minister actually rendered the mandate of the Assembly completely ineffective. It was not clear whether the Ministers appointed from the Sabha would be responsible to their parties and would be governed by their mandate. Obviously, the Ministers were appointed by the Ruler and were inevitably expected to be responsible to him. Responsibility to the Sabha which was composed of factions was inconceivable. The Sabha was divided into factions which included the National Conference, the Muslim Conference, the Liberal Group, the Zamindar Group and the Official Bloc of nominated and appointed members. Even if the Ruler conceded that the Ministers would be responsible to the Sabha, the Sabha could not enforce any such responsibility. The parliamentary parties of the elected members in the Sabha were diametrically opposed to each other and could not evolve any consensus on the policies of the Government.

Dyarchy in Operation

Shortly after the dual government was inaugurated, its defects came to surface. The Prime Minister expeditiously informed the two Ministers that by virtue of being appointed to the Council of Ministers, they were presumed to constitute a part of the official bloc in the Sabha and therefore, were automatically deprived of their right to vote on the floor of the House. Not content with that, the President of the Sabha awarded a ruling in the Sabha by virtue of which he declared that the two Ministers, having assumed office, had lost their elected character. The communication from the Prime Minister and the ruling of the President of the Sabha created consternation among the members of the National Conference. An impasse ensued which was finally resolved by an extraordinary proclamation, the Ruler issued to introduce necessary amendments in the scheme, to ensure the two Ministers their rightful position in the Sabha.[8]

The issue of the freedom of speech and vote on the floor of the Sabha dragged on for a longer time. A workable arrangement was finally arrived at and it was agreed upon that the two Ministers were appointed from the Sabha would retain the right to freedom of expression in the Sabha as well as the right to vote against any official measure.

The two Ministers were also deprived of the administrative agencies and instruments necessary for their function.[9] No secreterial staff was allocated to the two Ministers. Mirza Afzal Beg had to operate through the Home Secretariat and the Revenue Secretariat, none of the two secreterial structures being under his control. The two Secretariats proved obstructive. Beg submitted a number of appeals to the Prime Minister strongly pleading for the allocation of a separate secretariat for his Ministry.[10] In a number of meetings, Beg explained to the Prime Minister that the existing arrangement of operating through the Home Secretariat and the Revenue Secretariat was unsatisfactory and obstructive. The Prime Minister took no note of the remonstrations Afzal Beg made.

In December 1944, Afzal Beg had detailed discussion with B.N.Rao, the Prime Minister of the State. Beg pointed out to the Prime Minister of the State the difficulties he faced in his work in the absence of necessary secretarial staff. B.N.Rao, apparently convinced of the genuineness of the complaints Afzal Beg made, asked Azal Beg to send in a memorandum about the organisation of the Secretariat. No action was , however, taken till B.N.Rao resigned from his office.

Serious limitations were also placed on the function of the two Ministers. The Public Works Department was entrusted to Mirza Afzal Beg without works, power and constructions, leaving Beg to perform the other ancilliary functions. Beg could not make appointments, sanction expenditure, allocate works, regulate operational processes, and initiate action against recalcitrant and corrupt officials or co-ordinate various aspects of his departmental function. Mirza Beg who also held the charge of the Department of Local-self Government, did not have the authority to deal wih such petty matters as election, appointment, promulgation of byelaws, delegation of powers to Muncipal servants, adjudication of appeals against notice of demand, leavy of taxes, prohibition and regulation of offensive trades.[11]

Disillusioned about the working of the Dyarchy began to set in among the leaders of the political organizations, which had agreed to work it out when Ram Chandra Kak was appointed as the Prime Minister of the State. Kak replaced B.N.Rao, who had been appointed the Prime Minister of the State in November 1944, but like his predecessor, he had not been able to settle in his office. Kak assumed office on 30th June, 1945, six months after Dyarchy had been instituted. He had no illussion about the dual government and the content of political responsibility the scheme envisaged. He was severely opposed to any devolution of authority and was not reconciled to the appointment of the Ministers from among the members of the

Praja Sabha. Immediately after he took over, he took away whatever little initiative and prestige the two Ministers enjoyed. Therefore, Dyarchy continued to drag along without any rightful purpose.[12]

Simla Conference

With the termination of the war in Europe. the Coalition Government in Britain ended. Churchill resigned on 23rd May 1945, and fresh elections were proclaimed to be held in July. On 14th June 1945, a white paper was issued by the Secretary of State for India envisaging proposals for a settlement of the Indian problem. The same day Lord Wavel, the Viceroy of India, made an announcement which he claimed would "ease the present situation and to advance India towards her goal of full self-government". Wavel's announcement envisaged :-

1. convocation of a conference of different political parties in India in order to reach a settlement of the communal issue would be convened;
2. a new Executive Council at the centre which would include equal proportions of caste-Hindus and Muslims would be framed;
3. the portfolio of External Affairs would be placed in charge of an Indian;
4. The Governor-General would not exercise his constitutional power of veto "unreasonably";
5. His Majesty's Government would appoint a British High Commissioner to represent British Government and other interests.[13]

Wavel invited the leaders of the Congress, the Muslim League, the Scheduled Castes and the Sikhs along with a host of others, among whom were also included the Premiers of the provinces to meet at Simla on 2th of June, 1945.

The conference at Simla began on 25th of June, 1945, and continued till, 14th July, 1945. The parties to the Conference, representing almost divergent ideologies and irreconcilable objectives could not come to a settlement. Congress rejected the proposal to constitute the Governor General's Council on communal basis, and refused to countenance the League demands to nominate all Muslim members. The League insisted upon the right to nominate the Muslim members and demanded the assurance that Viceroy would overrule decisions of the Council if they were not acceptable to the Muslim block. The Conference eventually broke down and on 14th July, 1945, Wavell announced that the Conference had failed.[14]

Meanwhile the Rulers of the States convened a joint conference to discuss the issue of the States and the constitutional reform in India. The conference adopted a resolution which underlined the policies and position of the Princes with regard to the new political situation in India. The resolution stated that British India could achieve dominion status even without the adherence of the States. The resolution, however, pointed out that the non-adhering States could not depend on Paramountcy. "The British Government" the resolution emphasised, "will not be in a position in a Dominion India effectively to fulfil its obligation of defence or to safeguard the non-acceding states against the economic strangulation or discrimination by the dominion Government".[15] The resolution emphasised that there was a great necessity of the States to improve their administration and "externally align themselves with the forces of progress". The conference appointed a constitutional Advisory Committee to prepare"the case for use at appropriate phases".[16]

The Advisory Committee met in July, to discuss the proposals for the constitution of the Interim Government in India. The Committee proposed the establishment of suitable machinery for regular consultations between the representatives of the States and the representatives of the British India with regard to the matters of common concern during the interim period. The Committee recommended a number of reforms for the States. The reforms included :

1. right to franchise;
2. right to elect, directly and indirectly, the representativies in the legislature;
3. institution of efficient and properly trained judiciary;
4. security of law;
5. demarcation of the private expenditure of the Rulers;
6. demarcation of States expenditure; and
7. rationalisation of taxation.[17]

Azad Kashmir

The general session of the Muslim Conference was held in Poonch in July 1945. The Muslim leaders from Kashmir, among whom was Moulvi Yousuf Shah, wanted the annual session of the Conference to be held in Srinagar, but Choudhary Abbas Khan, who was particular to hold the convention in Poonch, prevailed upon the Muslim Conference leaders to hold the convention in Poonch. In the districts of Poonch and Mirpur the Muslims, by and large, supported the Muslim Conference. Mirwaiz Yousuf Shah was elected the president of the Conference.

The Muslim Conference repudiated Dyarchy and charged the National Conference of having betrayed the trust of the Muslims in the State. The Muslim Conference reiterated its support to the League and its struggle for the realisation of Pakistan.[18] The Conference also severely criticised the declaration of "Naya Kashmir" and alleged that the National Conference wanted to perpetuate the "irresponsible rule of the Dogras" in the name of "Naya Kashmir". In his presidential address to the annual session Mirwaiz Yousuf Shah observed :

> "The other political organisation in the State, have published and distributed books like 'Naya Kashmir' to show their existence and to prove that they are not accused of aimlessness. I am confident that in spite of the documents, such organisations are fake and purposeless."[19]

The Conference adopted a number of resolutions which stipulated :

i) institution of responsible government in the State and the extension of right of franchise to a wider section of the people;
ii) amendment in the Hindu Personal Law to save the converts from Hinduism to Islam from forfeiture of their property;
iii) reservation in employments in the administration for Muslims in proportion to their population in the State.[20]

In the open session of the Conference the Muslim Conference leaders, distributed a pamphlet which was named "Azad Kashmir". "Azad Kashmir" envisaged the ideals and programmes of the Muslim Conference and the schemes of the economic and political reorganisation, the Conference proposed. "Azad Kashmir" reiterated the Muslim League demand for a separate homeland for the Indian Muslims and committed the Muslims of Kashmir, who the manifesto claimed 'formed an inseparable part of the Muslim nation of India' to the struggle for the realisation of Pakistan. "Azad Kashmir" declared that the Muslims in Kashmir, Jammu and Ladakh recognise and follow with their brothern in India, one leader who is Qaedi Azam Mohammad Ali Jinnah, one organisation which is the Muslim League and one objective, the realisation of Pakistan."[21] "Azad

Kashmir" further declared that the Muslims in the Indian States had performed a historic role and therefore, their special interests and privileges required to be protected. "The Muslims in the Indian States will not submit to the Hindu majorities and they will struggle for independence and emancipation of the Muslims from Hindu dominance in India as well as in the Indian States."[22]

"Azad Kashmir" reiterated the demands of the Muslim Conference had made from time to time. The demands included :[23]

1. repeal of laws prohibiting cow-slaughter;
2. repeal of Arms Act of 1941, and the removal of all restrictions on Muslims to carry arms;
3. withdrawal of the Hindu script from the schools in the State;
4. amendment of the Hindu personal law to remove disabilities imposed on Hindus in case of their conversion to other religions.

"Azad Kashmir" concluded that the Muslim Conference, which was committed to the struggle for Pakistan, was the sole representative organisation of the Muslims in the State. The manifesto stated that "the other Muslim organisations were fake and had no roots in the soil of the State" and wielded no influence among the vast masses of the Muslim subjects of the State. The Manifesto added: "The Muslim Conference of Kashmir will fight to the last for the creation of Pakistan. In this endeavour Muslims all over the State are one with the Muslim Conference."[24]

National Conference - Annual Session

Shortly after the Muslim Conference session, the Natinal Conference leaders decided to hold the annual session of the Conference at Sopore in Kashmir. Decision was taken to hold the session on 3rd August, 1945. The Conference leaders decided to invite the Congress leaders as well as the leaders of the States Peoples' Conference to Kashmir to participate in the session. In the last week of July 1945, Nehru, Mian Iftikhar-ud-Din, Ashraf Ali, Maulana Azad and Ghaffar Khan reached Srinangar. Jai Narayan Vyas, the General Secretary of the States Peoples' Conference, and the other leaders of the States Peoples' Conference reached Srinagar a day after the Congress leaders had arrived.[25]

On 1st of August, 1945, Nehru and other Congress leaders were carried in a procession of boats over river Jehlum, which flows through Srinagar. The boats carrying the Congress leaders and the leaders of the

National Conference proceeded from the Chattabal Weir, situated on the western fringes of Srinagar, and moved upstream, across the township of Srinagar towards Lal Mandi Gardens, situated along the south-east of Srinagar. When the procession reached Zaina Kadal, a stronghold of the Muslim Conference, the Muslim Conference enthusiasts threw down upon the boats rubbish and brickbats from the bridge and the banks of the river.[26] The police contingents which had been posted along the course of the river proved ineffective against the miscreants. The National Conference volunteers quickly moved in and chased away the Muslim Conference followers. In the clashes a National Conference volunteer, Abdul Salam Darzi was killed.

As scheduled, the annual session of the National Conference began in the township of Sopore in Kashmir on August 3, 1945. Sheikh Mohammad Abdulllah was re-elected the President of the National Conference. The session was inaugurated by Khan Abdul Gaffar Khan.[27] In his presidential address, Sheikh Mohammad Abdullah highlighted the struggle of the National Conference for the political emancipation of the people of Jammu and Kashmir.[33] Sheikh Mohammad Abdullah gave a detailed ellucidation of the Naya Kashmir programme and declared that Naya Kashmir plan alone could lead the people of Kashmir and the people of the Indian States to their goal of freedom. Sheikh Mohammad Abdullah rejected in unequivocal terms, the demand for the division of India and strongly pleaded for the unity of different communities in India. He appealed to the Congress leaders to find a way to arrive at a settlement with the Muslim League and the Indian Muslims. Sheikh Mohammad Abdullah declared : "the principle of self-determination which formed the basis of 'Naya Kashmir' can be adopted to allay the fears of the Muslims in India who are apprehensive of Hindu domination. Mere words cannot allay their fears.[28]"

The next day, the General council of the National Conference adppted a number of resolutions which included the two important resolutions : one for the institution of responsible government in the State and the other for the right of self-determination of cultural nationalities in India.

The National Conference re-affirmed its faith in the constitutional reforms envisaged by the Naya Kashmir and the institution of the responsible government in the State. The Conference declared that dyarchy had not done any good to the people of the State and no reforms short of self-government would be acceptable to the people of the State.[29] "The problems of scarcity of food, unemployment, corruption and the administrative inefficiency cannot be mitigated by hackneyed constitutional adjustments, but by radical reforms in the government of the State. In view of these facts, the Conference firmly demands the institution of responsible government in the State, the constitutional and economic aspects of which have been elaborately elucidated in the Naya Kashmir Programme."[30]

The resolution for self-determination of the cultural nationalities of the State had two parts. The first part recognised the essential unity of India and demanded the independence for the Indian people and the second part recognised self-determination for cultual nationalities in India as a solution of the communal problem in India. The operative part of the resolution read :

> "The All Jammu and Kashmir National Conference has accepted and recognised in the 'Naya Kashmir' programme the right of self-determination for the cultural nationalities of the State. We genuinely believe that self-determination is the only solution of the communal problem in India and this is the way to remove all impediments standing in the way of the Progress of India."[31]

Standing Committee

On 6th August three days after the annual session of the National Conference was over, the Standing Committee of the All India States' peoples' Conference met in Kashmir. Actually a meeting of the Standing Committee had been scheduled to be held in Srinagar along with the Annual Session of the Conference and the members of the Committee had been invited to come to Srinagar.[32]

The Standing Committee commended the efforts of the National Conference on "its outstanding success in awakening and organising the masses of the State". The Committee specially appreciated the broad vision which has inspired the Jammu and Kashmir National Conference and its leaders and its President Sheikh Mohammad Abdullah in building up a national organisation on a mass basis with a view to transforming the State into a prosperous and new Kashmir based on the progress and well being of the masses".[33] Sheikh Mohammad Abdullah fervantly recommended to the Standing Committee resolution on the 'right of self determinatin for cultural nationalities' adopted at Sopore convention of the National Conference and emphatically claimed that the recognition of the principle of right of self-determination for the cultural minorities would prove to be a widely acceptable solution for the problem of religious and cultural nationalities and regional entities in India. The Standing Committee reiterated its stand that the States were an integral part of India and the major States could form "democratic and autonomous units in a free and federated India".The Standing Committee was, obviously, ready to accept self-determination in the States within the broad frame of a united India. But the Committee refused to recognise self determination based on religion, caste, colour, and cultural or regional affinities, even though placed within the context of a united India.[34] The Standing Committee adopted a resolution on the rights of the States' people, which read :

> "The Standing Committee reiterates that the objective of the people of the states is the establishment of full responsible government in the States as integral parts of India. The major states would form democratic autonomous units in a free and federated India. The Ludhiana Conference pointed out that any such unit must of necessity be large enough and capable enough of functioning as a unit of the federation, and all such states as are not large enough to or are incapable of functioning as proper political and economic units must necessarily be absorbed in the provincial unites or be grouped together where feasible and practicable, to form a unit for the federation. In a final reorganisation of the State as well as of the rest of India, cultural affiliations will have to be borne in mind.[35]"

Wavel Scheme

Soon after the Simla Conference, elections took place in Britain and the labour party was voted to power. In the speech from the Throne at the opening of the New Parliament, the British Government announced that "the British Government was determined to do their utmost in conjunction with the leaders of the Indian opinion for the early realisation of self-government in India". The elections in Britain brought about a material change in the British policy towards India. It brought about an equally significant change in the British policy towards the Indian States.

The Labour Government called Wavell to England for consultations. In September, 1945, Wavell announced the steps the Labour Government intended to take for the grant of self-government to India. The announcement of the Viceroy underlined the following proposals :-

1. elections to the Central Legislature and the Provincial Legislatures;
2. convocation of a "constitution making body" after the elections;

3. discussions with the representatives of the Legislative Assemblies to re-assertain their views on the Cripps proposals;
4. consultation with the representatives of the States in regard to the formation of the Constitution-making body; and
5. stipulation of a treaty between Britain and India.

The Princes acclaimed the Wavell scheme and expressed their readiness to paticipate, with the representatives of the British India, in the task of framing a constitution for the country. They, however, made their acceptance conditional to the extent that:

1. the future constitution of India would be subject to their ratification;
2. the Princely rule in the States would not become a subject of negotiation;
3. the existing Teaties and Sanads between the States and the British would not be altered without the consent of the Rulers of the Indian states.

The following day, Attlee made a statement reiterating the principles envisaged by the Wavell's announcement, but added that the broad outlines of the British policy towards India, contained in the Cripp's proposals, would remain unchanged. A few days after Attlee's statement, the All India Congress Committee met in Bombay. The Committee rejected the Wavell Scheme. However, the Congress accepted to contest the elections envisaged by the Scheme.

Udaipur Session of State Peoples' Conference

After the failure of the Wavell scheme the Standing Committee of the States People's Conference was convened at Jaipur in September, 1945.The Committee was convened to review the events which had followed the announcement of the Wavell scheme and its rejection by the National Congress and to formulate a national policy line which the Conference would follow in any future settlement of the Indian question.[38] The Committee decided to convene the annual, session of the States' Peoples' Conference in December 1945, at Udaipur in Rajasthan.

The Standing Committee adopted the historical resolution envisaging the demand of the right the States' Peoples' to participate in any constitution-making body proposed to be set up to evolve a constitution for India. The resolution of the committee stipulated :-

> "In view of the proposals for changes in the constitution of India broadcast by the British Prime Minister and the Viceroy and Crown representative in India in September last, the Standing Committee wishes to declare afresh that such changes can only be acceptable if they are based on full responsible government in the States as integral part of a free India. Further that any constitution making-body should have as its members from the States, representatives of the people elected on a wide franchise which would at least approximate to the franchise at present prevailing for the Legislative Assemblies in the Provinces. Such representative character will represent the peoples' wishes and will have the same status and representative character as the members from the Provinces. Any other method of representation in the Constituent Assembly will necessrily mean a lower status for the members from the States and a joining together of democratic representatives and autocratic nominees, which will be a travesty of democratic procedure and is likely to lead to dead-locks. It is essential therefore, that the States' people should be represented on a full democratic basis".[39]

The Standing Committee reviewed the declaration made by the Constitution Advisory Committee of the Rulers and appreciated the desire of the Rulers to liberalise the political institutions in the States and secure their subjects greater liberties and wider freedom. The Committee, however, pointed out that 'vague statements' could no longer be helpful to anyone, as far-reaching decisions with regard to the Indian freedom were being taken. The resolution of the Committee stipulated further :-

> The States' Peoples' Conference would willingly cooperate with the Rulers and Governments of the States on the basis indicated above with a view to the establishment of responsible government in the states on a line with the democratic governments in the Provinces. In particular, any change in the policy of the States' Government must begin with the full recognition of civil liberties without which it is impossible to have free elections or to make any substantial progress in the direction of freedom and representative institutions.[40].

The annual session of the All India States' Peoples' Conference began at Udaipur in Rajasthan, on 31st of December 1945, and ended on 2nd of January, 1946. Jawahar Lal Nehru presided over the session. Sheikh Mohammad Abdullah was elected the Vice-President of the Conference.[41].

With regard to the participation of the States' Peoples' in the Constitution making body of India, Nehru made it clear that the people of the States alone had the right to participate in the constitution-making body, through their elected representatives. Nehru demanded the liberalisation of the Governments in the States and called upon the Rulers to grant basic human rights and liberties to their people. He said :

> "The way of approach to this problem is to make the people's welfare and progress the primary considerations. All other matters are subsidiary and must yield place to them. This involves political freedom, a democratic strucuture, fundamental liberties and rights guaranteed, and an indpendent judiciary. It involves equal economic freedom and the removal of all fetters, fedual or other, on the growth of the individual. In some of the states in Rajputana there are still shameful relics which no modern state should tolerate. There is a kind of slavery under the Daroga system under which women suffer even more than men. There is Begar or forced labour. There is the Jagiri system of feudatories with important judicial, revenue, police and other powers, which makes these Jagirs even more feudal and backward than other areas. Then there are backward classes and aboriginals who are kept down by law and custom and have no scope for growth.:[42]

The States' Peoples' Conference adopted a number of resolutions among which were resolutions which envisage the basic unity of the people in the British India and the Indian States and the right of people in the Indian States to participate in any future constitution-making processes in the country. The Conference reiterated the principle, envisaged by the resolutions adopted by the Standing Committee of the Conference at Jaipur, that the Rulers had no right to represent the States in any constitution-making body established to finalise the constitution of India.[43] The Conference, in unequivocal terms, demanded that any such constitution-making body should have, as its members the States, the representatives of the people elected on a franchise against which the members of the Legislative Assemblies in the Provinces were elected. The peoples representatives alone, the Conference declared, would represent the peoples wishes and would have the status and representative character as the members from the Indian Province had[44].

Royal Enquiry Commission Report

The Chairman of the Royal Enquiry Commission presented a report to the Ruler of the State, in November 1945, long after dyarchy was announced and implemented.[45] The Royal Enquiry Commission was appointed in July, 1943. The deliberations of the Commission were protracted and due to deep differences among the members of the Commission, it dragged along with its work for more than a year. Muslim Conference boycotted the Commission right from its inception. National Conference abandoned it after having joined its deliberations for sometime. Ganga Nath prepared a report on his own and presented it to the Maharaja. The report was not discussed by the members of the Commission. Many of the members did not even read it. None of the members of the Commission signed the report. Ganga Nath alone signed it when it was presented to the Ruler.

In his recommendations, Ganga Nath made no substantial suggestions for reform in the political or the economic organisation of the State. In fact, he remained pathetically apologetic and sought to justify the structural and functional discrepancies in the constitutional provisions which were in operation in the State.[46] Ganga Nath ignored the abject backwardness of the economy of the State, and completely ignored the drastic changes which were needed to develop the economic resources of the State to improve the economic condition of the people. Ganga Nath deliberately refused to commit himself on the issue of increasing the representation of the people of the State in the administrative services of the State. Ganga Nath actually eulogised the efforts of the Ruler to introduce constitutional reforms in the State, particularly those envisaged by the dyarchy, instituted in October, 1944.

The Terms of the Reference of the Commission were wide enough to have enabled Ganga Nath to have made more constructive recommendations with regard to the constitutional reorganisation in the State. But Ganga Nath preferred to gloss over the major constitutional issue confronting the State Government. The only important recommendations Ganga Nath made with regard to the existing constitutional provisions, were with regard to the extension of franchise, the enhancement of the financial powers of the Praja Sabha and the appointment of more parliamentary Secretaries from the Sabha.[47] Ganga Nath rejected the demands for radical political reforms aimed to secure greater participation of the people in the operation of the State Government or the transfer of wider responsibility to the legislative bodies in the State. Commenting on the memorandum submitted to the Commission by the National Conference, Ganga Nath observed that such problems of constitutional reforms in the State could possibly be taken for consideration only after future constitutional structure of India was devised. Ganga Nath stated:

> "Our attention has also been drawn to the memorandum submitted by the All Jammu and Kashmir National Conference to His Highness containing a draft constitution of the State and an outline economic plan for the development of the State. We are precluded by our terms of reference, from expressing our opinion on the bigger and political issues raised in the memorandum. In our view it is premature to consider and devise the framing of a constitution for the State without knowing exactly what shape or form the discussions on the future constitution of India will take; to ignore those discussion and their bearing on the relationship of this State with the rest of India would be tantamount to losing sight of a fundamental factor in the consideration of the problem."

Debacle of Dyarchy

The turn of the events in India and the closer relations the National Conference had struck with the National Congress, were not viewed with favour by the State Government and the British Residency. The election of Sheikh Mohammad Abdullah as the Vice-President of the All India States Peoples' Conference increased the fears of the Ruler and his Prime Minister about the National Conference. The Govenment did not approve of the statements, Sheikh Mohammad Abdullah and other Conference leaders issued, attacking the Princely Rulers and the Government of Jammu and Kashmir State. The State Government also disfavoured the demand for the repudiation of the treaties and sanads between Rulers of the Indian States and the British.

After the Udaipur session of the States Peoples' Conference, the State Government hardened its attitude towards the National Conference. Shortly after the session of the States Peoples' Conference concluded, Ram Chandra Kak, the Prime Minister of the State, wrote to Mirza Afzal Beg, the Minister for Public Works that he could no longer allow the Ministers to speak or vote on the floor of the Sabha against an official resolution.[49] Ram Chandra Kak informed Mirza Beg and Wazir Ganga Ram that he expected the Council to function as a compact and cohesive body and therefore, would not allow the Ministers, who were the members of the Council, to speak or vote against it in the Sabha. He informed the Ministers that they had ample opportunity to express dissent inside the Council, but once decisions had been reached in the Council, they were bound to support the decisions of the Council in the Sabha. Ram Chandra Kak pointed out to Beg that it was "not possible to allow a member of the

Government to act in a manner which was at variance with the policy of the Government. No Government can satisfactorily be carried on this basis". Kak wrote to Mirza Beg."[50]

> "It was and is His Highness's hope and aim and this was generally recognised by the members of the Sabha and by the members outside your group who supported you, that the Ministers selected from amongst the members of the Praja Sabha act in the common interests of all, and by influencing the decision of the Government on the one hand and by explaining to the people the aims and objects of the policies of the Government and the difficulties confronting it on the other, promote an `entente cordials' which would benefit the state as a whole, I sincerely trust that this hope will still be fulfilled."[51]

Ram Chandra Kak overlooked the fact that his policy would eventually force the two Ministers into helpless subordination in the Council and the Sabha. The other course they were left open as to abandon the Council and resign from their office. The two Ministrs were the accredited nominees of the legislature and also the representatives of the people who had elected them. The National Conference, which constituted the largest elected group in the Sabha, had its own commitment to fulfil. It was obvious that its nominee in the Council of Ministers could not abnegate from his rightful function and could not submit to any official decision which adversely affected the primary purposes the Conference sought to achieve. Actually Ram Chandra Kak ignored the political implications of Dyarchy and destroyed whatever little substance it had.[52]

On 17th March 1946, Mirza Afzal Beg tendered his resignation.[53] Two days after he was relieved of his office and the dyarchy was dissolved.[54]

The Government flushed, possibly at the fate National Conference had met, struck another blow to the Conference. Mian Ahmad Yar, the deputy leader of the National Conference Parliamentary Party in the Praja Sabha, was invited to take the place of Mirza Beg. Ahmad Yar was a senior leader of the National Conference, but had been superseded by Sheikh Mohammad Abdullah in October, 1944, when the latter had favoured the appointment of Mirza Beg to the Council of Ministers and secured the vote of the National Conference in the Praja Sabha for him. He agreed to join the Ministerial council of the Maharaja.[55] Desparate and angry, the Conference leaders charged the State Government of duplicity and conspiracy to discredit its leaders.[56] The Conference started regrouping itself and also threw away the pretensions of evolving a constitutional arrangement for responsible government in the State in co-operation with the Government of the State.

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10

Quit Kashmir

On 19th February, 1946, the British Prime Minister Clement Attlee declared that the British Government had decided to send a special mission of Cabinet Ministers to India to negotiate a settlement with the Indian leaders. The Mission was to be constituted of the Secretary of State, Lord Pathic Lawrence, Sir Stafford Cripps, President of Board of Trade and A.V.Alexander, First Lord of Admirality. The Cabinet mission arrived in India on 23rd of March 1946, a week after Mirza Afzal Beg had relinquished his office.

The Cabinet Mission had extensive discussions with the Rulers of the Indian States with regard to the placement of Indian States in the future constitutional scheme of India. Princes sought to secure the position and power they enjoyed under the protection of the Paramountcy. They stubbornly refused to accept any changes in the relations that subsisted between them and the Government of India and refused to countnance any proposals to introduce any constitutional reforms in their States which would impose any limitaions on their prerogatives.

On 16th May, 1946 the Cabinet Mission announced a plan which the Mission evolved for a future constitutional framework for India. The Cabinet Mission plan envisaged:

1) the formation of one Union of India constituted of the British Indian Provinces and the Indian States, with powers to deal with foreign affairs, defence and communicatioins;
2) the establishment of an Executive and a Legislature of the representatives form the British Indian Provinces and the Indian States;
3) the right of the Provinces to organise themselves into Groups, being entitled to determine the Provincial subjects to be reserved for the Groups;

4) the right of the Provinces to claim, by a majority of their Assembly votes, a revision of the constitutional provisions after an interval of every ten years.
5) retention of the residuary powers by the Provinces; and,
6) option for the States to accede to the Union.[2]

The Cabinet Mission laid down in detail the procedure in accordance with which the Union of India would be constituted. The Mission proposed the institution of a Constituent Assembly which would be constituted of the representatives of the British Indian Provinces and the representatives of the Indian Princes. After examining the various alternatives, the Mission fixed the total strength of the Constituent Assembly at 384 members. The Provinces were allotted the number of seats proportionate to their population, roughly against a ratio of one representative for a million of the population. The provincial representation was to be divided in three main communities, the Hindus, the Muslims and the Sikhs. The Indian States were allotted 93 seats. The exact method of their selection and deputation was left to be settled by consultation with the Rulers of the States.[3]

The Cabinet Mission refused to recognise the demand for the division of India and the creation of a separate Muslim State. In regard to the States, the Cabinet Mission reflected the devious policies of the British Government and indicated that the British Government would neither retain the powers of the Paramountcy nor transfer the rights arising out of Paramountcy to the proposed Union. The Cabinet Mission underlined the lapse of Paramountcy and the right of the Princes to accede to the Union or assume independence. The Mission left the door open for the Provincnes to stumble out of the Union and for the States to remain out of it.

The Mission observed:

> "When a new fully self governing or independent government or governments came into being in the British India, His Majesty's Governments will not be such as to enable them to carry out the obligations of the Paramountcy. Moreover, they cannot contemplate that the British troops will be retained in India for this purpose. Thus in logical sequence and in view of the desire expressed to them on behalf of the Indian States, His Majesty's Government will cease to exercise the rights of Paramountcy. This means that the right of the States which flow from their relationships with the Crown will no

> longer exist and that all the rights surrendered by the States to the Paramount power will return to the States. Political arrangements between the States on one side and the British Crown on the other will have to be filled either by the States entering into federal relationships with the successor Government or Governments in British India or failing that, entering into particular political arrangements with it or them."[4]

Cabinet Mission and Kashmir

While the Cabinet Mission conducted discussions with different political parties in India, the States' representatives and various administrative bodies, events of far reaching importance were under way in Jammu and Kashmir[5]. The debacle of Dyarchy, proved to be a catalytic impetus to the National Conference. The Conference leadership declared in unequivocal terms the right of the States' Peoples all over India to seek the dissolution of Paramountcy, the liquidation of the Princely order and the right of the peoples of the Indian States to join the Union of India. The Conference leadership repudiated the Treaties and the Sanads which the British had bestowed on the Princes and claimed the right of the peoples of the Indian States to participate in any constitution-making body, the British would create, to frame a Constitution for India.[6] Sheikh Mohammad Abdullah, the President of the National Conference, sent a long telegram to the Cabinet Mission, stating the principles which the Conference desired the Mission to adopt in regard to Kashmir. Immediately after the National Conference presented a longer memorandum to the Cabinet Mission in which the National Conference pleaded for the repudiation of the treaty rights, the British had bestowed upon the Princes and the recognition of the States' Peoples right to send their representatives to participate in the Constitution-making body.[7] The National Conference questioned the validity of the Treaty of Amritsar by virtue of which the Jammu and Kashmir State was transferred to the Dogras and claimed consideration for the right of the people of the State to self-determination. The telegram sent by the National Conferencne to the Cabinet Mission inter-alia stated:

> "As President, All Jammu and Kashmir National Conference, representing all communities and classes of people inhabiting Jammu and Kashmir State, I welcome your visit to our State and hope that it will usher in a new era of freedom both political and economic for four million State people".[8]

Sheikh Mohammad Abdullah left for Delhi to participate in the deliberations of the States' Peoples' Conference on the Cabinet Mission proposals. In a statement he issued in Delhi he asked for a reconsideration of the policies the State Government followed in Jammu and Kashmir and demanded the institution of responsible government in the State. In the statement he said :

> "It augers ill for the future that we are entering the tumultuous times that lie ahead with a discredited constitutional experiment at our back. In the name of National Conference I appeal to the Maharaja Bahadur to end this farce of Dyarchy and grant truly responsible government to the people of Kashmir. To the members of the British Cabinet Mission I would say to judge the constructive strength of our peoples' urge to freedom by the patient and persistent uphill struggle of our movement, including our attempt to give a fair trial to the constitutional experiment to our fellow patriots in British India. I would say, with your freedom is linked our destiny and our freedom is ultimately guarantee of the stability of independent India."[9]

Sheikh Mohammad Abdullah in a series of subsequent statements, claimed for the people in the States :

1. right to frame a Constitution of the Union of India, of autonomous, social, cultural and political identities;
2. the right of the peoples' of the Indian States to self-determination on the basis of nationality;
3. the recognition of cultural, sociological and psychological identity of people in the Indian States;
4. right of the people of the Indian States to join a future federation of India or remain out of it;
5. right of a State to secede from the Union after it had joined it.

Quit Kashmir

Sheikh Mohammad Abdullah returned to Srinagar on 3rd May, 1946. The entire State was in a state of political turmoil. The next day he met some of his associates, including Mirza Mohammad Afzal Beg, Ghulam Mohammad Bakhshi and Khwaja Mohi-ud-Din Qara and told them that the Cabinet Mission proposals envisaged the right of the Princes to decide whether the States would join the Constituent Assembly. He pointed out to them that such an eventuality would lead to the fragmentation of India and the perpetuation of Princely despotism in the States.

Sheikh Mohammad Abdullah told his colleagues that Nehru favoured the institution of a vigorous movement in the States for the right to send peoples' representatives to the Constituent Assembly. He also told his associates that he was in complete agreement with Nehru's views that a movement be launched in the Indian States to demand the right of the States' people to be represented in the Constituent Assembly.[10]

On 6th May 1946 Sheikh Mohammad Abdullah addressed a public meeting at Srinagar. He lashed out at the State Government for its duplicity and its attempt to undermine the movement for self-government in the State. He explained the circumstances, that had led to the resignation of Mirza Afzal Beg. He told the people that the Government had wanted to sow discord in the National Conference and Mian Ahmad Yar had been appointed in place of Mirza Mohammad Afzal Beg to do so. He told them that the action of the Government exposed the designs of the government, which obviously, were aimed to destroy the peoples movement in the State.[11] On 10th of May, in another public speech that he delivered in Srinagar, he openly demanded the repudiation of the Treaty of Amritsar and the dissolution of the Dogra rule. He declared that the time had come for the Dogras to 'Quit Kashmir'.[12]

On 15th May 1946, Sheikh Mohammad Abdullah outlined the objectives of the 'Quit Kashmir' movement and called upon the people to prepare for the last battle with the Dogras. Sheikh Mohammad Abdullah explained the political context of the freedom struggle in the Indian States and described the Indian Princely system as the outer-flank of the British Colonialism in India. He claimed that 'Quit Kashmir' was a logical extension of the struggle for freedom of the Indian people from British imperialism. He told the peoeple:

> The demand that the Princely order should quit is a logical extension of the policy of 'Quit India'. When the freedom movement demands the complete withdrawal of British power, logically enough the stooges of British imperialism also should go and restore sovereignty to its real owners, the people. When we raise the slogans of 'Quit Kashmir' we naturally visualize that the Princes and Nawabs should quit all the States. I am sure this demand applies similarly to the State like Hyderabad where the People will, I am sure, raise their voice 'Quit Hyderabad'.[13]

On 16th May 1946, Sheikh Mohammad Abdullah declared the closure of his compaign of mass meetings which he had launched on 6th May, 1946. In a large meeting of the people in Srinagar, he announced that he would proceed to Delhi to "discuss the situation with Jawahar Lal Nehru, who was the President of the All Indian States' Peoples' Conference.[14] He disclosed that on his return to Srinagar, he would take a decision on the future course of action, the National Conference would follow. Except for subdued distrust against the state Government, which was evidently rampant everywhere, people in Srinagar and most of the townships in Kashmir, settled to an uneasy calm.

On the morning of 20th May, Sheikh Mohammad Abdullah left Srinagar for Delhi in a private vehicle via Jehlum valley road. In the afternoon the same day, he was arrested at Garhi, a wayside station, on the Jehlum-valley road.[15] With lightening speed, the Government swooped on the other leaders of the National Conference. Most of the members of the Working Committee and other prominent workers of the National Conference were taken into custody. Among those arrested were Sardar Budh Singh, Mirza Mohammad Afzal Beg, Mir Ghulam Hassan Jilani, Pandit Durga Prasad Dhar Pandit Kashyap Bandhu and Pandit Sham Lal Saraf.[16] Bakhhi Ghulam Mohammad, who had been asked by Sheikh Mohammad Abdullah to act as the President of the National Conference in his absence escaped from Srinagar with Ghulam Mohammad Sadiq.[17] Maulana Masoodi, Khawaja Ghulam Mohi-ud-Din Qura, Niranjan Nath Saraf and Mohi-ud-Din Hamdani went underground.[18] Mujahid Manzil, the National Conference head-quarter in Srinagar, was occupied by the State troops. Military pickets were established all over the province and special military contingents were posted to guard bridges, government offices and communication centres.[19]

The State Government issued a Press note, which said that 'preparations were made for a rising on a country -wide scale with a view to taken over the Government of the State". "The State Government" the communique added "was, therefore, commanded to take action for maintainance of order and the protection of law-abiding citizens".[20]

Following the arrest of the National Conference leaders, widespread demonstrations broke out all over the State. At a number of places, people turned violent, cut down telephone and electric wires, damaged bridges and attacked police stations.[21] In Srinagar the situation turned worse and troops opened fire at a number of places. During the day six Conference cadres died in the Srinagar city.[22] Trouble spread to the townships of Anantnag, Bijibihara, Mattan, Baramulla, Sopore, Pattan, Handwara, Bandipora, and Pampore. The troops opened fire on angry demonstrators at a number of places in these townships also.[23]

In Jammu, the National Conference commanded the loyality of a smaller section of people. The Muslims, by and large, supported the Muslim Conference and therefore, they did not lend their support to the 'Quit Kashmir' movement. There was a spurt of trouble in Poonch, Mirpur and Rajouri but the Muslim League elements moved in quickly to diffuse the situation.[24] Among the Hindus in Jammu the 'Quit Kashmir' movement evoked limited response. The Hindus were not ready to rise against the Dogra dynasty. In fact, a number of leaders in Jammu had ardently worked with National Conference, were embarassed by the sudden eruption against the Dogra rule in Kashmir province.[25]

The National Conference leaders, who escaped arrest and who were led by Mohi-ud-Din Qara formed an under-ground cell which was called the "War Council."[26] The "War Council" announced a plan of protracted resistance against the oppression of the Government which included defiance of the prohibitary orders and civil disobedience by the Conference volunteers, called the 'Dictators'. The 'Dictators' were appointed by the "War Council" and later sent to court arrest in such numbers and at such places as the "War Council" chose.[27]

Soon, however, the repression exhausted the National Conference. Stories of soldiers were sent on search and arrest missions almost everyday and even such people as were suspected of having connections with the National Conference, were rounded up. In the first few days about four hundred of the National Conference leaders and activists were imprisoned and hundreds of others were driven underground.

Nehru and Quit Kashmir

Immediately after the Congress leaders received the information of the developments in Kashmir, Nehru condemned the intransigent attitude of the State Government and demanded the withdrawal of the reprerssive measures the State Government had adopted against the Conference leaders. He charged the State Government of having acted on the instigation of the Political Department of the Government of India and the British Resident in the State. In a Statement Nehru observed:

> "I do not know the circumstances or ostensible reasons for this but it is obvious that this is a very serious matter, both for the Kashmir State and for the States' Peoples' movement all over India. It is becoming increasingly evident that there is a general tendency in many States to attack the peoples' movement. Whether this is due to a desire to queer

> the pitch at this critical moment of whether it is just a normal functioning of the States authorities, I do not know. But I am convinced that this kind of thing cannot take place without the support and countenance of the Political Department and their agents. We know very well that in such matters, it is the Resident who plays a dominant role."[38]

On 27th May, Nehru called upon the Regional Councils, Praja Mandals, Lok Parishads, State Congress Committees and the other States' Peoples' Organisations to hold meetings and demonstrations in sympathy with the "sufferers of Kashmir. Nehru instructed these organisations to raise funds for the movement in Kashmir and organise volunteers "to march to Kashmir"[29] to join the peoples' struggle there.

The Standing Committee of the States' Peoples' Conference met in Delhi on 8th June 1946. The 'Quit Kashmir' movement and the consequent political crisis in Kashmir came up for consideration in the Committee. The Committee endorsed the stand taken by the National Conference with regard to the Treaty of Amritsar, and reiterated the earlier stand of the All India States' Peoples' Conference that the Treaties and Sanads with the Indian Princes were hollow documents and did not entail any obligations upon the people in the Indian States.[30] In his address to the Standing Committee, Nehru declared that Princes could not claim their titles on the basis of Treaties and Sanads, but on the will of the people if they desired to continue their rule over their States. Nehru blamed the British for creating all troubles in the Indian States and alleged that the trouble in Jammu and Kashmir was also fomented with connivance of the British. Nehru underlined three main principles for the settlement of the Indian question:-

1. making of an Indian Constitution;
2. arrangements for the interim period; and
3. democratistion of the governments in the Indian States.[33]

The Standing Committee criticised the Cabinet Mission for having ignored the hundred million people of the Indian States. The Standing Committee demanded that the States be represented in the Constituent Assembly by the representatives of the States' People and not the Princes. The Committee suggested that wherever, legislatures elected by the people had been established, the members of such legislatures should elect the members of the Constituent Assembly. Wherever, any such legislatures had not been formed, the Committee suggested that the Regioinal

Councils of the All India States' Peoples' Conference be asked to elect the members of the Constituent Assembly. The Committee also resolved that the members of the All India States' Peoples' Conference be co-opted on the Negotiating Committee and an Advisory Council be formed of the Rulers, the All India States' Peoples' Conference representatives and the representatives of the British India to deliberate on matters of common interest.[32]

Nehru's Arrest

Meanwhile, Sheikh Mohammad Abdullah and the other leaders of the National Conference were put on trial.

On 15th June 1946, Jawaharlal Nehru informed Maharaja Hari Singh that he would reach Srinagar on 19th of June, with lawyers to defend Sheikh Mohammad Abdullah. In his communication, Nehru suggested to the Maharaja that "in the interest of all concerned trials will be given up and that Sheikh Abdullah and his colleagues are released."[33] He impressed upon Hari Singh that only such a course would lead to a peaceful consideration of the "grave problem confronting Kashmir" and offered his help and assistance in evolving a settlement between the State Government and the National Conference.[34] Hari Singh informed Nehru that lawyers from outside the State could appear before the Court trying Sheikh Mohammad Abdullah, only after the permission of the Chief Justice of the High Court of the State was secured. He also intimated Nehru, that "it would be inadvisible for him (Nehru) to come to Srinagar as his presence would complicate the issues."[35]

Nehru was flustered. He sent another telegraphic communication to Hari Singh expressing surprise at the assertion that his visit would "lead to complications". "I am coming to Kashmir", Nehru informed the Maharaja "to help in putting to an end the complications already existing and easing the unfortunate situation which was prevailing in the State.[36]

Nehru sent Dwarka Nath Kachru the Secretary of the All India States Peoples' Conference to Srinagar with a personal letter for Hari Singh. In his message Nehru tried to explain to Hari Singh the gravity of the situation in Kashmir and the urgent necessity to improve it. Nehru pointed out that many problems already existed in regard to the representation of the Indian States in the Constituent Assembly. Further difficulties in this regard would be created for the Maharaja if an agreement between him and National Conference was not reached. Nehru wrote to the Maharaja "You are, I presume, aware of the popular demand put forth both by the Indian National Congress and the All India States' Peoples' Conference that representation in the Constituent Assembly should be by means of representatives elected by the people. All these and similar problems have to be solved very soon". He added, "it is obvious that the difficulty inherent in these problems will be greatly increased if the situation in Kashmir is abnormal and the State is in conflict with the popular organisation there".

Dwarka Nath Kachru could not see Hari Singh and deliver the letter to him. The letter was delivered at the Palace gates of the Maharaja on the morning of 19th June, the day, Nehru reached Kohalla, a boarder out-post of the Kashmir State on the Jehlum-Valley road.[37] The District Magistrate of Srinagar served orders prohibiting Nehru from entering the State territories at Kohalla. After a brief discussion, Nehru along with Dewan Chaman Lal, Asaf Ali, Baldev Sahai and Mohammad Yunus, broke through the cordon of the Police which was lined up across the road and walked into the State territory.[38] Nehru, and the people with him, reached Domel in the evening and decided to break the journey there. At eleven in the night Nehru was put under arrest and was moved to Chinari, another wayside station on the Jehlum valley road. Asaf Ali, Dewan Chaman Lal, Baldev Singh and Mohammad Yunus were allowed to proceed to Srinagar.

The news of Nehru's arrest spread in all over India like wild fire. Congress Committees and Praja Mandals all over the Punjab and thousands of other people offered to proceed to Kashmir to enter the State and defy the orders of the State authorities.[39] Maulana Azad counselled restraint. He sent a telegram to Hari Singh urging upon him to postpone Sheikh's trial so that Pandit Nehru could return to Delhi where many important political matters were pending.[40] Hari Singh promptly informed Maulana Azad that the Government had no intention to detain Nehru and all facilities would be provided to enable him to return to Rawalpindi. With regard to the trial of Sheikh Mohammad Abdullah, Hari Singh refused to postpone it, and informed Abul Kalam Azad that the State Government would "not oppose grant by Court of any reasonable postponement requested by defence"[41] Nehru was released and he returned to Delhi.

Widespread concern and indignation was felt all over India on the developments in the State and the detention of Nehru at Chinri.[42] Not only the Congress leaders but the people in general were convinced that the entire crisis had been formented by the Political Department to frustrate a settlement of the political issues facing India. States were the most difficult of the problems to be grappled with and the Cabinet Mission had already left a gap, wide open for the States to escape a commitment with regard to the future constitutional structure of India.

Muslim Conference and Quit Kashmir

The Muslim Conference leaders and workers assumed indifference towards the 'Quit Kashmir' movement. Moulvi Yousuf Shah and Chowdhry Ghulam Abbas Khan avoided to make any commitment on the movement.[43] Chowdhry Abbas Khan declared that the Working Committee of the Muslim Conference would be convened to formulate the policy of the Conference towards the movement.[44] Meanwhile, the Muslim Conference leaders sent out secret instructions to their units and cadres to keep away from the 'Quit Kashmir' movement and provide help and assitance to the State Government in dealing with the agitation.[45] Chowdhry Ghulam Abbas Khan went to Simla to apprise Jinnah of the developments in Kashmir and seek his advice.[46]

The Working Committee of the Muslim Conference met on 9th June, 1946. The conference expressed the view that the 'Quit Kashmir' movement had not been officially endorsed by the General Council of the National Conference. The Conference leaders made no secret of their intentions and openly repudiated the 'Quit Kashmir' movement The resolution of the Committee stipulated :

> "National Conference was gradually disowning the demand of Quit Kashmir and the direction and guidance of the present movement had indefinitely passed into the hands of the Hindu leaders."[47]

In July, the Muslim Conference leaders called a special general convention of the Muslim Conference cadres and workers.[48] The Special Convention was held in Srinagar on 27th July 1946, and continued till 30th July, 1946. In the Special Convention, the Muslim Conference condemned the 'Quit Kashmir' movement and branded it a conspiracy which the National Conference leaders had hatched with the Hindu leaders of the Congress to divide and mislead the Muslim in the State. The Conference exhorted the Muslims to remain aloof from the "Congress inspired Quit Kashmir movement", which was aimed to bring the Muslim under the domination of the Hindu majority in India.[49] The Conference also reiterated its demand for the institution of political reforms in the State on the lines which the Conference had laid down in the 'Azad Kashmir' Manifesto. The Conference adopted a number of major political resolutions.

These resolutions were :

i) The Conference reiterated its demand for Pakistan and rejected any constitutional reforms for India which did not envisage the creation of a separate Muslim State in India.
ii) The Conference demanded that within the framework of the Cabinet Mission Plan the Muslims in the Indian States should be given a special number of seats in the Constitution making body on the basis of the total population of the Muslims in the States.
ii) The Conference denounced the 'Quit Kashmir' movement and charged the National Conference of attempting to divide the Muslims in the State of Jammu and Kashmir, in collusion with the Indian National Congress in order to perpetuate the Hindu rule and Hindu dominance over the States.[50]

In his presidential address to the Muslim Conference, Chowdhry Ghulam Abbas said that the National Conference because of its alliance with the Indian National Congress, had lost its influence among the Muslims of the State and the Conference had launched the 'Quit Kashmir' movement to save itself from being eliminated from the political life of Kashmir. "National Conference", Abbas claimed, "could not fight the Dogras with the help of the Hindu Congress. It was therefore necesary for the National Conference to have forged a united front against the Government under the banner of the Muslim Conference." Abbas blamed Sheikh Mohammad Abdullah of having divided the Muslims of Kashmir. "How long will Abdullah continue this tragic division so sucidal for the cause of the Musalmans. He knows that in spite of his betrayal, the Muslim Conference has been moving from strength to strength everyday."

The Most important resolution, the Muslim Conference Convention adopted, was with regard to the Direct Action Resolution of All India Muslim League. The Conference leaders reiterated their faith in the leadership of Jinnah and resolved that to "fight against the severe repression the Muslims suffered under the Hindu rule in Kashmir", Muslim Conference would resort to "Direct Action" and "fight to the finish for the deliverance of the Muslims in the State" The resolution added, "We reiterate our faith in the leadership of Quaid-i-Azam Mohammad Ali Jinnah, and we will fight to the last for the deliverance of the Muslims in the State from the oppression and misrule they are subject to."[51] The Conference constituted a 'Committee of Action' to formulate the programme of 'Direct Action'. Mirwaiz Yousuf Shah was elected the President of the Committee of Action. Chowdhry Hamid-Ullah, Showkat Ali, Yousuf Qureshi, Allah Rakha Sagar, Abdul Salam Dalal, Moulvi Noorud-Din and Chowdhry Ghulam Abbas were included in the Committee of Action.[52]

In the open Convention of the Muslim Conference a resolution was adopted to observe "Azad Kashmir" day on 17th of August, 1946. Obviously the "Azad Kashmir" day was meant to be observed to express solidarity of the Muslims in the State. The resolution appealed to the Muslims all over the State to suspend their work and close their shops and business centres on 17 August.

Constituent Assembly of India

Meanwhile development of far reaching importance were underway in the rest of India. The League declared the acceptance of the Cabinet Mission proposals on 6th June 1946. The Congress followed and announced its acceptance of the Cabinet Mission Plan on 25th of June. On 26th of June, the Viceroy announced the formation of a 'Caretaker Government of Officials' till the Interim Government, envisaged by the Cabinet Mission Plan, was instituted.

Election to the Constituent Assembly of India were held in July, 1946. Out of the 240 general seats allotted to the Provinces, the Congress won 199. Of the 78 Muslim seats the Muslim league captured 73, Congress 3, the Unionist Party of the Punjab one, and the Praja Party of Bengal, one. The elections flustered the Muslim League leadership. In the Constituent Assembly they had secured only 73 members against 212, the Congress had secured. The Congress was placed in an overwhelming majority in the Assembly. The Muslim League Working Committee realised the importance of the overwhelming strength the Congress had come to command in the Constituent Assembly and quietly set out to undo the Cabinet Mission Plan as well as the Constituent Assembly. The Working Committee of the Muslim League met in Bombay on 27th of July, 1946, and dramaticallay withdrew its acceptance of the Cabinet Mission proposals. The Working Committee further, resolved to observe 16th August, as the 'Direct Action Day' for the realisation of Pakistan. The Muslims in India were called upon by the League Council, to demonstrate their will and determination to achieve the creation of Pakistan. The Muslims all over the country were asked to renounce all the titles and honours conferred upon them by the British.[53]

On 6th August 1946, the Viceroy invited Nehru to form the Interim Government. The Muslim League rejected the invitation of the Viceroy to join the Interim Government. Both the Viceroy and Nehru made frantic efforts to bring round the League leaders to join the Government. Jinnah refused. On 15th August, Nehru met Jinnah in a last bid to persuade him to cooperate with the Congress and withdraw the call for "Direct Action." Jinnah had calculated his chances well, and refused to call off the "Direct Action".

The Direct Action movement envisaged by the League council commenced on 16th of August, 1946. It plunged the entire people of India in unprecedented communal strife. The communal rioting, arson and loot spread like wild fire and engulfed almost the entire country.[54] In the midst of this chaos, the Interim Government was formed on 2nd September 1946, with Nehru as the Vice-President of the Council. Jinnah decried the Viceroy's decision to form the Interim Government and charged him of having "struck a severe blow to the Muslim League and Muslim India". Soon, however, Jinnah wheeled round and agreed to ask the League members to join the Interim Government.

Jinnah was a shrewed politician and agreed to join the Interim Government to destroy it from within. Immediately after the League members were inside the Interim Government, it began to disintegrate.[55]

Trial of National Conference Leaders

Sheikh Mohammad Abdullah and other leaders of the National Conference were tried for sedition and sentenced to various terms of imprisonment. Hosts of other National Conference workers and cadre were summarily tried and sentenced to imprisonment and fine.[56] Many others, were jailed and kept in detention without trial.[57]

The National Conference cadres fought out valiently. The movement right from the time it had begun, ran into violent upheavals. The Nationa Conference continued the civil disobedience movement and its men and volunteers presented themselves for arrest in defiance of the prohibitary order imposed by the State Government. The civil disobedience movement was directed by the underground 'War council'.[58]

The "War Council" did not confine itself to the organisation of the civil disobedience movement only. The Council organised picketting of offices and street-corner meetings, snap demonstrations and publication of wall-posters all over the Kashmir Province. At many places, barricades were thrown up across the highways and roads and at a number of places bridges were damaged.[59] The Government adopted stringent measures to quell the disturbances and rounded up the most of the underground cadres of the Conference. The National Conference could hardly withstand the onslaught of the Government and gradually the 'Quit Kashmir' movement was smothered down.

Direction Action

The communal strife which was unleashed by the 'Direct Action' movement of the Muslim League in India had its effect on the polices and politics of the Muslim Conference in Jammu and Kashmir. The extremists in the Conference advocated the adoption of a militant policy of rousing the Muslims in the State to support the creation of Pakistan. They realised that the Congress in India had been beaten by the widespread communal riots which had driven away the majority of the Indian Muslims from the Congress. The Muslim Conference extremists rightly believed that if the communal balances in the State were disturbed, the Muslims would be alienated from the National Conference.

The Muslim Conference leaders in Kashmir counselled restraint, but the majority of the leaders and cadres of the Conference, among whom were Chowdhry Ghulam Abbas Khan, Allah Rakha Sagar, Chowdhry Hamidullah - the leader of the parliamentary group of the Conference in the Praja Sabha, Aga Showkat Ali, the General Secretary of the Muslim Conference, Moulvi Noor-ud-Din and Qureshi Mohammad Yousuf, supported the extremists and voted for a radical policy of opposition to the State Government.

On 2nd October, 1946, Chowdhry Ghulam Abbas issued a statement in which he called upon the Muslims to prepare for "Direct Action" in the State. Abbas declared :

> "Workers and friends from far and near are asking me whether they have to prepare the people for 'Direct Action' or the next Assembly elections. Let it be known to all of them that both the Working Committee and Convention of the Muslim Conference have passed the 'Direct Action' resolution and the Committee of Action presided over by Mirwaiz Yousuf Shah has already formulated a programme of 'Direct Action'. For the Muslims of Kashmir, therefore, the die is cast. I call upon all workers and office bearers of the Muslim Conference to devote their entire energies to prepare the Muslim masses for the inevitable struggle."[60]

Chowdhry Abbas Khan also declared that the Annual Session of the Muslim Conference would be held on 20th of October, 1946.[61] The State Government, ruffled and angered, conveyed to the Muslim Conference leaders that in view of the disturbed conditions in the State and the existing prohibitary regulations still in force in the Kashmir Province, the Government would not permit the Muslim Conference to hold the Convention. The Muslim Conference went ahead with the preparation for the Annual Session. The Conference constituted a Reception Committee with Mirwaiz Yousuf Shah as the President, to organise the Annual Session.[62] The Mirwaiz wrote to the Government for permission to hold the Annual session of the Conference in Srinagar. The District Magistrate of Srinagar refused the permission. Later, a secret understanding was reached between the District Magistrate and the Mirwaiz that the session would be held for a short time on 25th of October, and an announcement would be made to the assemblage that the session had been postponed. On 25th October, 1946, after the session began, the Muslim Conference leaders flouted the assurance the Mirwaiz had given to the Government, and delivered highly inflammatory speeches against the Government and the National Conference.[63]

Chowdhry Abbas announced in the assemblage that the Working Committee of the Conference had decided to defy the ban on the Annual Session of the Conference. Abbas declared that 'Direct Action' would be started by the Conference at some future date, but he appealed to his followers to launch an 'Individual Civil Disobedience' movement to defy the prohibitory orders imposed by the Government.[64] Chowdhry Abbas, Allah Rakha Sagar, Moulvi Noor-ud-Din and Aga Shoukat Ali, the General Secretary of the Conference, were arrested immediately. Mirwaiz Yousouf Shah was not arrested.[65]

After the arrest of the Conference leaders the Working Committee of the Conference gave a call for civil disobedience and appointed Chowdhry Hamidullah as the Acting President of the Conference.[66] On the advice of the Government, Moulvi Yousouf Shah sent secret instructions to his followers to desist from participating in any civil disobedience against the Government. Chowdhry Hamidullah, who had taken over as the Acting President, launched a scathing attack on Moulvi Yousouf Shah and charged him of having a secret alliance with the Government.[67] The attack infuriated the Mirwaiz and he openly instructed his followers to desist from participating in any civil disobedience movement.[68] Chowdhry Hamid-ullah, expelled Mirwaiz Yousouf Shah and his lieutenant Abdul

Salam Dalal from the Working Committee of the Conference. Moulvi Yousouf Shah in turn dismissed Chowdhry Hamidullah from his office of the Acting President.[69] Chowdhry Hamidullah dissolved the Working Committee and vested all the powers of the Muslim Conference with the Committee of Action. The expulsion of Mirwaiz Yousouf Shah broke up the Muslim Conference and destroyed whatever prestige and influence the Conference still enjoyed among the Muslims.[70]

From inside the prison Abbas sent out frantic messages to the Confernce cadres to resume the individual disobedience movement. Hamidullah, who was himself not in favour of civil disobedience movement, counselled caution and instead went to Delhi to acquaint Jinnah of the developments inside the State.[71] Hamidullah, informed Jinnah of the crisis in the Muslim Conference and convinced him of the futility of any agitation against the State Government. Jinnah issued a long statement to the press in which he upbraided the State Government for having banned the Muslim Conference session.[72] He advised the Muslims in the State to abondon all agitational methods and concentrate on the elections to the Praja Sabha. Jinnah observed :

> "I have discussed with the members of the deputation, the whole matter very carefully and I gather from them that they have no intention to resort to direct action or unlawful methods. They are anxious and they desire to contest the elections and every facility should be given to the people by the Government. There should be no interference by the officials and complete freedom, fairness and impartiality should be guaranteed."[73]

Jinnah's statement finally ended whatever prestige and influence, the Muslim Conference had in Kashmir. The 'Direct Action' resolution of the Conference was repudiated and the civil disobedience movement which Chowdhry Abbas had launched was disowned. Mirwaiz Yousouf Shah, the most influential Muslim Conference leader in Kashmir, was estranged from the Jammu leaders. Divided in two factions, the Conference leadership fell into disarray.

Praja Sabha Election

In September 1946, the State Government announced its decisions to hold elections to the Praja Sabha. The National Conference which was still reeling under the severe blow it had suffered, in the 'Quit Kashmir' movement, decided to contest the elections. A Central Parliamentary

Board was constituted by the underground "War Council" to direct the election compaign of the Conference. In the townships and villages, local Election Committees were constituated to mobilize the Conference cadres for the election compaign.[74]

The Muslim Conference, in an attempt to take advantage of the declaration of the Government to hold the elections to the Sabha, directed its members in the Praja Sabha to resign from the Sabha. The Muslim Conference leaders accused the Government of having pushed through the Sabha the Public Security Act, which they alleged was aimed to suppress the legitimate aspirations of the Muslims in the State.[75] They declared that the Conference had decided to recall their members from the Praja Sabha as a protest against the enactment of the Public Security Act.

The Public Security Act was enacted by the Government, a few days after the elections were declared. The enactment was piloted through the Praja Sabha by the Government with the support of the official members of the Sabha, the nominated members, and the members representing Special Constituencies. The Public Security Act empowered the Government to order search of private premises, prohibit assemblies and meetings, held even within residential premises, impose restrictions and censors on publications and newspapers and adopt such other measures which the Govoernment deemed necessary in order to maintain law and order in the State.[76]

Towards the middle of November, 1946, a number of the Central Election Board of the National Conference, was arrested. Many of the Conference workers were arrested and detained, most of them without any trial. In the villages and the towns the Government agencies tried to break up the election committees of the National Conference. Most of the members of these committees were jailed.[77] The "War Council" despatched a deputation of the National Conference workers to Delhi to appraise Nehru and the other Congress leaders as well as the leaders of the All India States' Peoples' Conference of the interference of the State Government in the elections. Most of the workers and the supporters of the National Conference advocated boycott of the elections.

On 20th November 1946 Bakshi Ghulam Mohammad, who had assumed the Presidentship of the Conference after Sheikh Mohammad Abdullah was sentenced to imprisonment, appealed to the State Government to put on end to its policy of interference with the elections. Bakhshi pleaded for a settlement of the political crisis in the State, which he said, was necessary for free and fair elections to the Praja Sabha. Bakhshi laid down three main conditions on which a settlement could be based. These conditions were :-

(1) immediate release of all the political prisoners and detenues;
(2) convocation of a Constituent Assembly in the State to frame a new Constitution; and
(3) the recognition of safeguards for the cultural, religious and linguistic interests of the minorities in the State.[78]

The State Government was hardly prepared to mend its relations with the National Conference. Instead of ending the repression it had let loose on the Conference workers, the State administration intensified its operations against the Conference.[79]

In the last week of November, the Government issued a notification according to which elections to the Praja Sabha were sheduled to be held on 4th of January, 1947. The scrutiny of the nomination papers was carried out on 19th December, 1946. A large number of nomination papers filed by the National Conference candidates were rejected. Eight nomination papers were field by National Conference nominees against Main Ahmad Yar, who had filed his nomination papers for the Muzafferabad Muslim Constituency. It will be recalled that Mian Ahmad Yar had joined the State Government after Mirza Afzl Beg resigned from the Council of Ministers in March, 1946. All the eight nomination papers filed by the National Conference nominees were rejected and Ahmad Yar was returned to the Praja Sabha unopposed.[80] Bakshi Ghulam Mohammad was informed of the rejection of the nomination papers of the National Conference candidates. He denounced the action of the Government and gave a call to the Conference cadres to boycott the elections.[81]

The Standing Committee of the All India States' Peoples Conference met in December, 1946. Nehru participated in the deliberations of the Commitee. The Committee endorsed the decision of the National Conference to boycott the elections to the Praja Sabha.

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Last Phase

After the hectic days of elections were over, the National Conference quitely settled down to a sullen disdain of the Government. During the ten months after the 'Quit Kashmir' agitation, most of the Conference leaders and activists had been hunted down and imprisoned. Of the underground "War Council", headed by the underground leader Mohi-du-Din Qara, almost all the members had been apprehended and put behind the bars. The severe and swift action of the State Government had actually paralysed the "Quit Kashmir" movement within a few days after it was started. However, the National Conference Workers, who were not imprisoned, presented a bold front. The civil disobedience movement was symbolically kept alive and "Dictators" delivered speeches in support of the "Quit Kashmir" movement almost everyday at the Khanqah-Maula, Muslim shrine in Srinagar. On Fridays, the "Dictators" delivered speeches at the Muslim shrine of Hazratbal in Srinagar and then courted arrest.[1]

The Government tried its utmost to arrest Mohi-ud-Din Qara and locate the nucleus of the workers, which organised the civil disobedience meetings at Kahnqah Maula and at Hazratbal. But Mohi-ud-Din Qara defied the police. Actually there was a number of smaller underground units, which had spontaneously sprung up all over the Kashmir province. In these units worked many Muslims, who had clandestine contact with the National Conference. A large number of Muslim officers' of the State Government, a fairly large number of them from the State police, were also in contact with these units and passed to them valuable information about the action government took. These units organised demonstrations and street corner meetings all over he Kashmir Province. Placed under the remote control of the "War Council", these units organised snap demonstrations and street corner meetings where stones were pelted on the police and barricades erected. Usually the Government imposed punitive taxes on all localities where such trouble erupted.[2]

Attlee's Declaration

On 20th February 1947, the British Prime Minister, Clement Attlee stated in the House of Commons, that Britain had decided to transfer power to the Indians not later than June 1948.[3] The Congress Working Committee welcomed the declaration of the British Government and urged upon the British Government to recognise the Interim Government as the dominion government of India, with control over services and administration. The Working Committee emphasised the need to expedite the work of the Constituent Assembly so that the Constitution for a Union of India was prepared by the time the transfer of power would be effected.[4]

The reaction of the League was sharp. Three days after Attlee's declaration, Mohammad Ali Jinnah announced that the League would not "yield in its demand for Pakistan". On 26th February, 1947, Liaqat Ali Khan made it clear that the League would not accept any transfer of power unless the Muslim demand for Pakistan was conceded.

Lord Wavell, disapproved of the decision of the British Government to withdraw within a year, without finally settling the communal problem in the country. Wavell suggested a phased withdrawal of the British from India. Attlee turned down the proposal and recalled Wavell back. Lord Mountbattan was appointed to replace him. Mountbattan assumed his office on 24th March 1947.

The Gwalior session of the All India States' Peoples' Conference was the most momentous of the Conference sessions. The Conference supported the objectives resolutions of the Constituent Assembly. The Conference resolved :

> "The Conference welcomes and expresses its full agreement on behalf of the people of the States, with the fresh resolution of the Constituent Assembly of India "which declares its firm and solemn resolve to proclaim India an independent and soverign republic. It welcomes in particular, the declaration in regard to social, economic and political justice to all people of India, equality of status and opportunity before the law, and fundamental rights and safeguards for minorities, tribal areas and depressed and backward classes.
>
> The Conference endorses the declaration that all power and authority in the sovereign and independent India, its constituent parts and organs, is derived from the people."[7]

> The Conference condemned the attempts of some of the Rulers and their advisers to prevent "Cooperation of the States with the Constituent Assembly". "This obstruction" the Conference declared, "which is patently against the interests of both India as a whole and of the people of the States, must be condemned and resisted, and it must be clear that the people of the States as a whole stand for full cooperation with the Constituent Assembly."[8]
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> The Conference specifically referred to the States of Kashmir and Hyderabad, reiterating its stand that all the Indian States, including Kashmir and Hyderabad were a part of India. The Conference stated"
>
> "An impression, is however, sought to be created in the minds of the people at large that Kashmir and Hyderabad can exist as independent entities on the termination of British authority and power.[9] The Conference wishes to make it clear that Kashmir and Hyderabad as also the other Indian States cannot be allowed to remain outside the orbit of independent India much less can they be allowed to determine the internal constitutional structure without the sanction of their people. Such an attempt, it must clearly be understood, will always be resented by the people and if necessary, even resisted".[10]

Kripalani's Visit

The Congress leaders were not happy with the instransigent attitude of the Kashmir Ruler towards the National Conference. Secret emissaries were sent by the Congress leaders to the Ruler, pleading with him to come to terms with the National Conference and also declare to join the Constituent Assembly.[11] In May, the Congress leadership decided to send the Congress President Acharya Kripalini to Kashmir to make an assessment of the politicl situation there and also try to pursuade the Ruler and the State Government to adopt a policy of concilliation towards the National Conference, which, because of its secular and national outlook could also prove a factor of stability to the State Government in the situation of communal crisis which had engulfed many parts of India.[12]

As the news of the visit of the Congress President, Acharya Kripalani spread in Kashmir, a wave of optimism and relief ran through the National Conference quarters. The Hindus and the Sikhs entertained the hopes that the visit of Acharya Kripalani would lead to a settlement of the existing political crisis in the State.[13] Acharya Kripalani reached Srinagar in the evening on 17th of May, 1947. He went to the residence of Sheikh

Mohammad Abdullah and met Begum Abdullah, who appraised him of the symbolic civil disobedience movement, the National Conference continued and the increasing repression the State Government resorted to.[14]

On 21st May 1947 Kripalani was presented an address of welcome by the National Conference workers at Mujahid Manzil, the National Conference head-quarters in Srinagar.[15] In his speech, Kripalani said that the Indian National Congress supported the movements for political reforms in the States. He said that the Congress supported the movement launched by the National Conference for the freedom of the people in Jammu and Kashmir State. He added that the "freedom of India was near and the people in the Indian States would also get their freedom with the freedom of the Indian people."[16]

Kripalani had a brief meeting with the Prime Minister of the State, Ram Chandra Kak. Kak expressed his inability to countenance any proposals for a compromise with the National Conference.[17] Kripalani later met Maharaja Hari Singh and tried to pursuade him to come to a settlement with the National Conference. Hari Singh refused to accept an agreement with the National Conference.[18] The Ruler also proved evasive with regard to the accession of the State to the Constituent Assembly. Kripalani returned to Delhi without having achieved anything tangible both in regard to a reconciliation between the State Government and the National Conference and the association of the State with the Constituent Assembly of India.[19]

Kripalani's visit brought to an end the remonstrations the Congress leaders had made to the Ruler. The Standing Committee of the All India States' Peoples' Conference adopted a resolution disapproving the policies of the Kashmir Government. The resolution called upon the Government of the State to put an end to the distrust in the State, release the Conference leaders and introduce political reforms in the State Government. The Committee reiterated the stand of the States Peoples' Conference that the Treaties and sanads between the British and the Princes could not form the basis of the relations between the Government of India and the Rulers of the Indian States.[20]

While the stalemate in Kashmir continued changes of far reaching consequence occurred in India. Lord Mountbatten, after long deliberations with the Indian leaders, succeeded in persuading them to accept the partition of India and the transfer of power to two dominions: India and Pakistan.[21] The Muslim majority provinces of Sind, Bluchistan, North

West Frontier Provinces and the Muslim majority districts of the Punjab, Bengal and Sylhat, it was agreed, would constitute the Dominion of Pakistan and the rest of the British India would form the Dominion of India. It was also agreed that the Hindu and Muslim members of the Legislative Assemblies of Sind, Punjab and Bengal and the Jirga tribal leaders of Bluchistan would decide whether the Provinces would join the Dominion of Pakistan, voting separately on the division of the Punjab and Bengal. It was also agreed that a referendum would be conducted in North West Frontier Province and Sylhat district of Assam to determine whether they would join Pakistan. With regard to the Indian States, it was agreed, that their future disposition in respect of the two dominions would be governed by the provisions of Cabinet Mission.[22] The Cabinet Mission plan envisaged the lapse of paramountcy and the restoration of power to the Princes to determine the nature of their affliation with the future Union of India. Consequently the partition plan underlined the dissolution of the paramountcy and vested the powers to determine the future disposition of the States with regard to the two dominions, in the hands of their rulers.

The Rulers of the Indian States, generally favoured independence after the lapse of paramountcy, obviously unmindful of the geographical, economic and political implications which independence involved. Many States desired to unite into separate dominions and assume independence. There was, however, a large number of States which was in favour of joining the Indian Dominion.[23]

The differences of approach of the States arising out of the lapse of paramountcy were not received favourably by the Congress leadership. They saw in these differences, the possibilities of further sub-division of the country.[24] The Congress, therefore, reacted sharply against the policies of the States, particularly after the Rulers of Travancore, Bhopal and Hyderabad made open declarations that their States would assume independence after the lapse of Paramountcy.[25] The Ruler of Kashmir assumed complete silence on the accession issue. With the National Conference leaders and All India States' People's Conference leaders of the State packed inside the prisons, little hope was left that he would join the Indian Union.[26]

On 15th June, Nehru declared in a meeting of the All India Congress Committee that the lapse of Paramountcy would not effect "certain inherent paramountcy in the Government of India which cannot lapse - an inherent Paramountcy in the dominant state in India which must remain because of the very reasons of geography, history, defence, etc." Nehru categorically stated "We cannot permit anything to happen in India in any State which effects fundamentally the security of India, either in relation to defence arrangements or the relation to contact with foreign powers"[27] He declared that the independence of any such State could not be recognised by India, and any such recognition by any foreign state would be deemed by the Government of India as "an unfriendly act". The All India Congress Committee declared that the relationship between the Government of India and the states would not be exhausted by the lapse of Paramountcy. "The lapse does not lead to the independence of the States".

Partition and the National Conference

The acceptance of the partition of India by the Congress, had a sultry effect on the leaders and ranks of the National Conference. The National Conference was committed to the unity of India and had carried a large majority of the Muslims in the State with it. The 'Quit Kashmir' movement underlined the termination of the personal rule of the Dogras and the introduction of political reforms in the State. Sheikh Mohammad Abdullah was the President of the All India States' Peoples' Conference and he had in unmistakable terms pledged support to the demand for self determination in the Indian States and the right of the people in the Indian States to participate in the Constitution making of India. The acceptance of the partition of the country was a repudiation of the commitment to the Indian unity, as well the claim of the people in the Indian States to join the constitution making body of India. The June 3 declaration refused to recognise the rights of the people in the States to participate in the constitution-making of India and instead promised the Princes to absolve them from the purview and the protection of the Paramountcy.

It was not an easy task for the National Conference to convince the Muslims in the State that they did not form a part of the Muslim nation in India and solicit their support for the accession of the State to the proposed dominion of India. In the state of disarray, that the National Conference rank and file was, it could ill afford to proclaim its opposition to the creation of Pakistan.[28] Many of the cadres of the Conference were utterly disgusted with the prospectus of the partition of India, as they realised the difficulty in facing a situation where they would be called upon to canvass support for the accession of Jammu and Kashmir to India against the powerful appeal of the Muslim League to support the accession of the State to the Muslim State of Pakistan. By and large, the National Conference cadres settled to a sober silence over the issue of national unity.[29] The underground "War Council" lost no time and issued a statement appealing to the people in the State that the struggle headed by National Conference was against the Dogra rule and the Conference could not take a decision on the issue of partition and the future disposition of the State, so long as the leaders of the Conference smouldered in the jails. The underground leadership and the leaders of the Conference in exile, exhorted the people in the State, particularly the Muslims to:

i) Continue the struggle for freedom against autocratic rule of the Dogras;
ii) maintain communal peace and harmony in the State;
iii) fight the 'fissiparous elements in the State to force a decision on the people against their will;
iv) strive for the release of the Conference leaders from prisons; and
v) cooperate with the Food Committees to fight the conditions of famine prevailing in the State[31].

The 3rd June declaration and the acceptance of Pakistan had a different and far reaching effect on the Muslim Conference. Immediately after the League acceptance of Mountbatten Plan was announced, the Muslim Conference leaders of Jammu, headed by Chowdhry Hamidullah, the leader of Muslim Conference parliamentary party in the Praja Sabha, declared their support for the accession of the State to Pakistan.[32]

Moulvi Yousouf Shah and a section of the Muslim Conference leaders of Kashmir, however, did not approve of the stand taken by Hamidullah and his followers. Yousouf Shah correctly contended that Maharaja Hari Singh would in no case countenance accession to Pakistan and pressures brought to bear on the Ruler would drive the Ruler to a settlement with the National Conference and ultimate accession to India.[33] Moulvi Yousouf Shah had received many indications from the senior officials of the State Government that Maharaja Hari Singh favoured independence of his State. The Moulvi realised, more clearly than any other Muslim Conference leader, that the Muslim demand for accession to Pakistan would lead to a confrontation with the Government which would in the long run spell out the disaster of the Muslim Conference.[34]

While the controversy inside the Conference leadership was going on, Hamidullah claimed that he had received the approval of Chowdhry Abbas, who was still in prison for the demand of the accession of the State to Pakistan. Yousouf Shah did not yield. Hamidullah and his supporters charged Yousouf Shah of being a henchman of the Government. Yousouf Shah delivered a counter attack on Hamidullah and his supporters and charged them of having betrayed the Muslims for their vested interests.[35]

Hamidullah quickly rallied the Muslim Conference cadres and after a series of meetings of the Conference leaders and cadres, he evolved a fresh plan of action for the Muslim Conference. The Plan underlined:

1. launching of an agitation for the accession of the State to Pakistan;
2. launching of a compaign to prepare the Conference cadres for the struggle for Pakistan;
3. in case the Ruler exhibited any inclination to accede to India, lead a rebellion against him; and
4. seek the removal of Ram Chandra Kak, from the office of the Prime Minister of the State.[36]

The faction of the Muslim Conference led by Moulvi Yousouf Shah declared its loyality to the Dogra House and pledged its support to the achievement of an independent State. In order to allay the Muslim fears about accession to India, Yousouf Shah exhorted his followers to be prepared to oppose any move which sought the accession of the State to India.[37]

Issue of Accession

The prospect of the partition of India did not create any impression on the State Government. The Indian leaders pleaded with the Ruler of the State to accede to the Constituent Assembly of India. Shortly after the decision of the partition of India was taken, Patel wrote to the Prime Minister of Jammu and Kashmir, Pandit Ram Chandra Kak:

> "Do you still think Sheikh Abdullah should continue to remain in jail, I am asking this question purely in the interests of the State. You know my attitude all along and my sympathy towards the State. I am once again advising you as a friend of the State to reconsider the matter without any delay".[38]

The Indian leaders assured Hari Singh that in the constitutional strucuture which would be evolved for India, the Rulers of the Indian States would be secured their powers and prerogatives and invited him to join the Constituent Assembly on the Assurance that the Government of India would not interfere with the internal affairs of the State.[39] The Indian leaders advised Hari Singh to declare a general amnesty and release the leaders and cadres of the National Conference, who were still in prison. The Indian leaders pointed out to Hari Singh that a settlement with the National Conference leaders would facilitate the process of the accession of the State to the Constituent Assembly of India.[40] The Congress leaders were convinced that Hari Singh would not favour accession to Pakistan.

Maharaja Hari Singh did not listen to the remonstrations of the Congress leaders. Patel wrote to him imploring him to release the National Conference leaders and then accede to the Indian Dominion. Hari Singh assumed silence over the accession issue. Obviously, the Ruler, with the connivance of his Prime Minister, was fiddling with the idea of remaining out of the two dominions of India and Pakistan and after the British withdrawal, assuming independence.[42] Most of the men and advisors, who surrounded him, supported the Ruler's bid to seek independence and many of the British officials in the Political Department gave the Ruler secret assurance that if he assumed independence, he would be certainly assured of British protection.[43] A powerful section of the British officials in the Political Department, advised the Ruler to accede to Pakistan, and assured him that they could secure for him, assurance from Jinnah, that Pakistan would not interfere with his government and accession to Pakistan would not impinge upon his privileges.

Mountbatten came to Srinagar towards the end of June and attempted to pursuade the Maharaja to abandon his efforts to assume independence and instead accede to either of the two Dominions. Mountbatten told Hari Singh that "independence was not in his opinion a feasible proposition and that the State would not be recognized as a dominion by the British Government. Mountbatten indirectly conveyed to the Ruler that in view of the predominent Muslim majority in the State, the better course for the Ruler would be to join Pakistan on terms which could be to the advantage of the Ruler. Hari Singh avoided to commit himself to any course of action and avoided to meet Mountbatten. Mountbatten sought a meeting with the Ruler on the day he left Srinagar, but Hari Singh feigned illness and the meeting did not come off. "It is difficult to believe that the Government of India did not know the Maharaja's mind and also that accession to Pakistan would be the last act, the Maharaja was prepared to commit. It is more difficult to appreciate the Governor-General offering an assurance to the Maharaja and reiterating a formulation which he knew was only formal."

Mountbatten, in reality, sought to convince the Ruler, that, in view of the population of his State being predominently Muslim, the correct curse for him would be to accede to Pakistan that he had already pursuaded the Indian leaders to accept the accession of the State to Pakistan. Hari Singh failed to realise the dangers the long western borders of the State would be exposed to, when Pakistan would come into existence. He still fondled with the vain hope of carving out an independent State for himself and refused to listen to the remonstrations the Indian leaders made.

Gandhi's Visit

In July, Mahatma Gandhi wrote to Maharaja Hari Singh that he would visit Kashmir. Hari Singh, now convinced of the ultimate eventuality of the partition of India and the British withdrawal, and desirous of mending his relations with the Congress leadership readily agreed and invited Gandhi to stay in Srinagar as a State guest. Gandhi politely refused the hospitality Hari Singh offered him and expressed his desire to stay at a private residence. Gandhi reached Srinagar in the afternoon on 1st August, 1947.

In the evening Gandhi had a meeting with Begum Abdullah at her residence.[44] The next morning Ram Chandra Kak met Gandhi. Later, Kak came again to meet Gandhi to convey a request to him from the Ruler that he would like to call upon him. Gandhi, in his own way, offered to go over to the palace at Gopkar in Srinagar and wait upon the Ruler.[45] Gandhi had a long meeting with Hari Singh on 2nd of August.[46] Ram Chandra Kak was kept out of the meeting. Gandhi suggested to the Ruler that he should come to terms with the National Conference leaders and release them without any further delay. Gandhi told Hari Singh frankly that his subjects were predominantly Muslim and it would be in his interests to establish an atmosphere of trust in the State. Gandhi advised Hari Singh to establish a representative Government in the State without any further lose of time.[47]

On 10th of August, Hari Singh took a dramatic decision and removed Ram Chandra Kak from his office. Major General Janak Singh, a close relation of the Ruler, was appointed the Prime Minister of the State. The removal of Kak was hailed by the National Conference leaders, and the workers and the supporters of the Conference went berserk in the streets rejoicing on the removal of Kak. Within a few days after the dismissal of Kak, the civil disobedience movement was suspended by the National Conference.

The summary dismissal of Kak, was however received with great consternation by the leaders and men of the Muslim Conference. The Conferene leaders alleged that Kak's had been precipitated by Gandhi's visit to Kashmir and had been effected in response to Gandhi's advice to the Ruler.[48] The British Resident and the other British officials were also flustered at the summary removal of Kak from his office. The Muslim Conference leaders and men anticipated and feared that Hari Singh would accede to the Indian Dominion. Their fears were based on the surmises that Gandhi had pursuaded Hari Singh to abandon his attempts to assume independence and join the dominion of India.

Transfer of Power

On 14th of August 1947, the Dominion of Pakistan was created. On 15th of August, the dominion of India was created. Hari Singh, offered a Stand-Still Agreement to the two Dominions as a prelude to his independence. Pakistan accepted the Stand-still Agreement offered by the Ruler of the State. The Government of India however, refused to accept the Stand-still Agreement and instead asked to Ruler of the State to depute a properly accredited representative of the State to discuss the implications of the Stand-still Agreement with the Government of India.[49]

On 17th August 1947, only two days after the transfer of power in India, a meeting of Muslim Conference leaders, led by Chowdhry Hamidullah, was held in Srinagar. Ibrahim Khan, an advocate and a militant Muslim leader from Poonch and a fairly large number of League members from the Punjab and North Western Frontier Province, participated in the meeting. Chowdhry Hamidullah, Ghulam Nabi Gilkar, Ibrahim Khan and Moulvi Noor-ud-Din expressed fears that Hari Singh was a Hindu and not favourably inclined towards accession to Pakistan. They pleaded that the independence of Kashmir would only perpetuate the Dogra rule and until the State did not accede to Pakistan, the Muslims would not be free. They also pointed out that the Congress leaders were building heavy pressure on the Maharaja to accede to India and there was no certainty that he would be able to withstand the pressure from his co-religionists inside the State and Hindus outside the State. The Muslim leaders expressed apprehensions about the suspension of the civil disobedience movement by the National Conference and called for urgent action to frustrate any alliance between the Government of the State and the National Conference which they believed would damage the Muslim aspirations in the State. The Muslim leaders emphasised the necessity to forge a joint front of all the

Muslim militants, whichever organisation they belonged to and organise resistance against any attempts, made to push Kashmir into the Indian Dominion.[50] The leaders also stressed the need to launch "Direction Action" in the State to compel the Ruler to accede to Pakistan. An underground Coordinating Committee named the "Pakistan Council" was constituted to direct the "Direct Action", when it was launched.[51] Ibrahim Khan pleaded for an open revolt against the Dogra dynasty and asked for the creation of an armed Muslim volunteers guard to overthrow the Dogra Government.[52]

On 25th of August 1947, 'Pakistan Council' issued another wall poster which underlined :

1. that the Muslims of Kashmir were a part of the Muslim homeland of Pakistan and their conditional demand was the accession of the State of Pakistan;
2. that attempts were being made to subvert the Muslim movement in the State and perpetuate the Hindu domination of the Muslims in the State;
3. that the Muslims in the State would launch "Direct Action" to secure the accession of the State to Pakistan;
4. that the Muslims in Pakistan were awaiting for a call from the people of Kashmir and if and when the call was given the Muslims in Pakistan would come to the support of their brothern in Kashmir.[53]

Pakistan's Policy

Within days of the transfer of power the conditions in the State which appeared to be normal at the time of the transfer of power, began to change rapidly. The Muslim Conference leaders began to organise the Muslim Conference rank and file for a final bid to force the Ruler to join Pakistan. The Conference leaders were already in clandestine contact with the officers and agents of Pakistan. Large quantities of arms and ammunition were smuggled into the Districts of Poonch and Mirpur, contigious to West Punjab in Pakistan and distributed amongst the Muslim Conference activists there.[54] In the Kashmir province, the Muslim Conference leaders were cautious and careful mainly because of the widespread influence the National Conference exercised over the Muslims in the province. However, in the Districts of Muzzaffarabad which was rimmed by Poonch in the south and Rawalpindi district of Pakistan in the West, the Muslim

Conference activists prepared feverishly for an uprising against Hari Singh. A number of Muslim tribal chieftains who had huge fiefs spread in the districts of Muzzaffarabad and Baramulla, established secret liaison with tribal chieftains in Pakistan with a view to seek help and support in their bid to do away with the Dogra dynasty.[55]

By the end of August regular inflitration of Pakistani agents and armed irregulars into Poonch, Mirpur and Muzzaffarabad began to be organised by Pakistan. The two main roads, one connecting Srinagar with Rawalpindi and the other connecting Jammu and Sialkot, were sealed by Pakistan and the railway link between Jammu and Sialkot was suspended. All essential supplies to the State were stopped. The State was placed in a virtual state of seige.[56]

As the economic conditions in the State worsoned, Pakistan began to organise armed raids over the borders of the Jammu province. There was little doubt left in any quarter now about the intentions of Pakistan. Hari Singh had hardly any alternative left now except to negotiate with the Government of India. The Indian leaders, among whom were Nehru, Azad and Gandhi, advised Hari Singh to release Sheikh Mohammad Abdullah and the other leaders of the National Conference. The Indian leaders conveyed to the Ruler that in view of the large majority of his subjects being Muslims, it was necessary for him to come to terms with the National Conference leaders and reach a settlement on political reforms with them and reorganise the government of his State to make it representative of the people and responsible to them. The Indian leaders felt that such a course alone would ensure resistance against the Pakistani subversion and final accession of the State to India.[57]

Reconciliation with National Conference

On 24th of August, a general amnesty was proclaimed by the State government and warrants of arrest against the National Conference leaders, still at large, were withdrawn.[58] The underground leaders including Mohi-ud-Din Qara, immediately came out of their hiding and assumed the leadership of the Conference. Immediately, after, the National Conference instructed its cadres to join the Food Committees and the Peace Committees which the Conference leaders were fast organising to help the State government to maintain law and order in the State and avoid any communal strife.[59] The National Conference leaders realised that any outbreak of communal trouble would be used by the Muslim Conference to undermine the National Conference.

Bakshi Ghulam Mohammad, the Acting President of the National Conference, returned to Srinagar on 3rd September, 1947. He was scheduled to return to Srinagar on 28th August, immediately after the announcement of the general amnesty by the State Government, but before his return to Srinagar, he went to Delhi, to meet the Congress leaders and have consultations with them on the developments, which had occurred in the State. Bakhshi was given a tumoultous welcome by the people in Kashmir. Immediately after his arrival, he undertook a whirlwind tour of the Kashmir province. He exhorted the the followers of the National Conference to maintain communal peace in the State and defeat the designs of the Muslim Conference agents who were actively engaged inciting strife.[60]

On 9th September, Bakhshi spelt out the future policy of the National Conference with regard to the political settlement in the State and the accession of the State. He observed :

> "The first problem with the people is to attain freedom from the autocratic rule of the Dogras. When freedom is secured the people will be asked to decide whether they wanted to join the Indian union or Pakistan. The people will decide this issue by a referendum".[66]

The Invasion

Towards the opening days of September infiltrators armed with service rifles and machine guns entered the State borders stretching along Poonch and Mirpur. By the middle of September districts of Mirpur and Poonch were in open rebellion against the State. Large quantities of arms were smuggled into these districts from Pakistan also smuggled into the Muzaffarabad district of the Kashmir province which was situated in the west of Kashmir along the West Punjab border. The local Muslims of Mirpur and Poonch who, overwhelmingly supported the Muslim Conference and the League demand for Pakistan, fraternised with the infiltrators. In Muzaffarabad, the Pakistani infiltrators concentrated on the consolidation of pro-Muslim Conference elements in the State and the liquidation of National Conference cadres. Towards the close of September, forays and raids by armed raiders from Pakistan began to be led into the border villages of the Kathua district situated in the south of Jammu along the border of Pakistan. Thousands of Hindus and Sikh refugees from all these border districts poured into Jammu town.[62]

On 7th of September, the 'Pakistan Council' in Srinagar called upon the Muslims to "sacrifice their life and everything for the sake of their religion and Pakistan and be prepared for the call to rise and overthrow the present Government."[63] The Pakistan Council warned the State Government and the National Conference that leadership and people in Pakistan would not allow the Hindus to India to grab Kashmir.[64] The next day a wall poster was issued by the Muslim Conference which underlined four demands :-

1. transfer of power to Muslims in the State;
2. the liquidation of National Conference;
3. Accession of the State to Pakistan; and,
4. the end of all secret transactions with India and the Congress leaders.[65]

In the third week of September, Sheikh Mohammad Abdullah and the other National Conference leaders were brought from the various jails to Badami-Bagh contonement. Negotiations were immediately started with them by the State Government. Sheikh Mohammad Abdullah reproached the Govenment for having wasted valuable time and asked for immediate release of all National Conference workers and men. He also demanded immediate reorganisation of the State Government and the association of National Conference with the Government.[66] Hari Singh ordered the withdrawal of all cases against the National Conference leaders and workers and release of all National Conference detenues and prisoners.[67] He offered to broaden the dyarchical structure of the Government, he had instituted in October, 1944, reinstate the National Conference nominee to his ministry and besides him take one or more ministers from the National Conference into his Council of Ministers.[68]

Sheikh Mohammad Abdullah was released on 29th September, 1947. As he rode into Srinagar, hundreds of thousands of people gave him a thundering ovation. The remaining National Conference detenues and prisoners were released after him.[69]

The National Conference leaders lost no time to reorganize the units of the Conference in the Kashmir province. In the Jammu province, they had lost control over the two major districts of Poonch and Mirpur. In the Jammu city, the presence of the Hindu and Sikh refugees from Pakistan rendered the atmosphere tense.[70] The Muslims in the Jammu province supported the accession of the State to Pakistan. The Muslims of Poonch and Mirpur having already gone over to the side of Pakistan, the Muslims in the rest of the province also vociferously clamoured for the accession of the State to Pakistan. The Hindus and the Sikhs, forming a sizable minority in these areas and the city of Jammu supported the accession of the State to India. However, as the communal distrust deepened both Hindus and Muslims assumed extremist postures and the National Conference was almost rendered ineffective in the Province.

Sheikh Mohammad Abdullah and the other leaders of the National Conference did not favour the reestablishment of Dyarchy and insisted upon the transfer of power to the National Conference. For the fear of evoking adverse reaction from the Muslims and from their own cadres, the National Conference leaders did not commit themselves on the issue of accession. Sheikh Mohammad Abdullah and the other National Conference leaders took up the line Bakshi Ghulam Mohammad had taken earlier and in his lectures he proposed:

1. the State Government be reorganized and State power be trnsferred to the people by which they meant the National Conference;
2. all the National Conference prisoners, detenues and underground cadres be released and rehabilitated;
3. After the freedom from oppression has been secured a decision on accession be taken in conformity with the wishes of the people.[71]

The National Conference leaders were conscious of the difficulties, the division of India had created for them. In fact, the Quit Kashmir movement was launched long before the partition of India and the recognition of Pakistan was envisaged. The partition of the country had, in effect, broken up the very basis of the struggle for the Indian unity and the National Conference leaders realised the difficulty in upholding the principle of Indian unity after the Indian leaders had abandoned it. The widespread communal riots, which had preceded the partition had embittered the Hindu-Muslim relations everywhere, the incessant campaign for Pakistan, the Muslim Conference leaders had carried on in the State, after the acceptance of Pakistan plan in June 1947, and the incarceration of the National Conference leaders, had eroded much of the support the National Conference had built for a united India.

Invasion and After

During the night of 21st October 1947, large groups of armed civilians supported by regular troops of Pakistan invaded the State. In a single swoop, the invading forces entered the districts of Muzaffarabad, Poonch and Mirpur. In Poonch and Mirpur the infiltrators had already destroyed all resistance and the invading armies quickly occupied the two districts.[72] The invading forces now moved to enter the Jammu district but due to the difficult terrain and rugged mountaneous country, their advance was slowed down. The Pakistani troops did not attempt to cross the boarders of Jammu district for the fear of arousing retaliation from India.

In the Jammu city, rumours were set afloat that the city would be attacked by the troops from Pakistan at an opportunate time. The Muslim population was instructed to keep themselves in readiness to help the "liberating forces" once they were in the city. Actually, the Muslims in Jammu quietly awaited the entry of Pakistani soldiers.[73]

In the Kashmir province, the invaders took the Jehlum valley road, which connected Srinagar with Rawalpindi and began their advance towards Srinagar. As they advanced they fanned all over the district of Muzaffarabad to liquidate the Dogra defences. All Hindus and Sikhs who fell into their hands, were killed.[74] On 22nd of October 1947, Brigadier Rajendra Singh, the Chief of Army of the State Forces, picked up about two hundred Dogra soldiers from the small garrison of about four hundred troops which had been retained in the cantonment at Srinagar, to defend the city against the invading forces. The Brigadier, pushed down the Jehlum valley road in a bid to meet the raiders on way, and stop their advance. Rajendra Singh found himself face to face with thousands of regular militiamen and armed irregulars from Pakistan. He fell back, and in his retreat blew up a strategic bridge at Uri. The invading forces built a diversion and on 23rd of October, recommenced their advance towards Srinagar.

Rajendra Singh entrenched himself at Mohara, a few miles away from Baramullah over the spurs of a narrow gorge through which the Jehlum valley road passed. The raiders encountered the Dogra defences during the night of 24th of October. The Dogra fought valiantly and taking advantage of their positions repulsed attack after attack the invading forces mounted upon them. Most of the Dogra soldiers were killed. Rajendra Singh was severely injured. As the darkness of the night fell, the Brigadier instructed the remanents of his command, twenty four soldiers in all, to leave him and pull back to Baramullah. Rajendra Singh fell fighting on the field.[75]

Accession to India

On 24th October 1947, the Ruler of the State appealed to the Government of India for help against the invaders.[76] The Ruler also conveyed to the Government of India, his decision to accede to the Indian Union.[77] The same evening Hari Singh along with his family and his treasures left for Jammu. Most of the officials of the State Government evacuated with him. Many of the provincial officers of the State also hurried to pull out of Kashmir.[78]

Finding the situation deteriorate fast, the National Conference leaders organised the Conference cadres into a volunteer corpse, which was named "Peace Brigade". A number of "Peace Brigade" volunteers were supplied with fire arms. The Conference volunteers took over the control of the civil defence of the city. Ironically enough, a few detachments of the "Peace Brigade" were deployed on the outskirts of the Srinagar city to give battle to the invading troops.[79]

The Indian Government, for no reason and out of sheer despondency, took two days to come to a decision to accept the accession of the State and send troops to save the State from the rapidly advancing columns of invaders. The Instrument of Accession, made out by the Ruler of the State, was accepted by the Governor-General on 27th of October, 1947. In a communication addressed to Maharaja Hari Singh, the Governor-General of India informed him that the Government of India had decided to seek the opinion of the people of Kashmir on the issue of the accession of the State to India, after the raiders had been pushed out.[80]

The Indian troops began to arrive in Srinagar early on 27th October.[81] The Indian troops, while they trickled in, were quickly deployed to check the invaders from spreading ino the city. The Government of Pakistan, flustered at what had happened, ordered more tooops to move into Kashmir.

The Indian troops delivered a frontal assault on the advance columns of the invading armies on the outskirts of the Srinagar city. Few of the Indian soldiers and officials who went into action on 27th of October, returned alive.

On 6th November 1947, the invading troops mounted a severe offensive on the Indian positions at Shalteng a few miles away from Srinagar. The Indian troops held to their positions and as Pakistan attack petered out, the Indian troops attacked the Pakistani positions. The invading troops fell back. The Indian troops maintained their pressure, routed the enemy and forced it to withdraw to Baramullah. The main offensive of the invaders had been broken. Later the Pakistani troops were pushed out the district of Baramullah. A part of the district of Muzzafarabad and Poonch were also cleared of the invading forces. The War of resistance continued till 1st of January, 1949, when a ceasefire was effected with the help of the United Nations mediation. A large part of the State is still under the occupation of Pakistan.

Dogra Rule Ends

The accession of the State to the Indian union brought about a fundamental change in the entire political structure of the State. By virtue of the Instrument of Accession, which the Ruler of the State signed, powers with regard to Defence, Foreign Affairs and Communications were transferred to the Government of India. The remaining powers were retained by the State Government.

During the days, immediately after the accession the Ruler of the State was advised by the Indian leaders, to introduce reforms in the government of the State. In fact, Sheikh Mohammad Abdullah and the other leaders of the National Conference insistently demanded the introduction of administrative accountability in the State Government.[82] The National Conference leaders demanded the dissolution of the existing Council of Ministers and the appointment of a new Council of Ministers constituted of the Conference leaders and headed by Sheikh Mohammad Abdullah. The National Conference claimed that transfer of power to the people's representatives was a natural corollary to the liquidation of the Paramountcy.

On 28th of October 1947, a day after the accession of the State, Maharaja Hari Singh appointed an Emergency Administration headed by Sheikh Mohammad Abdullah. The other leaders of the National Conference were appointed as the Emergency Officers in the Emergency Administration and put in charge of the various departments of the State Government. The Ruler retained his Council of Ministers intact and the Emergency Administration was actually, required to function under the supervision of the Ruler and his Ministry.[83]

The dual system of government did not work well. The National Conference insisted upon the appointment of a Ministerial Council for the State from among the leaders of the National Conference and headed by Sheikh Mohammad Abdullah. For sometime Hari Singh refused to countenance any proposals which envisaged the appointment of a Ministerial Council composed of the Conference leaders. After long negotiations, which were initiated by the Government of India, an interim arrangement was finally made, and an Interim Government headed by Sheikh Mohammad Abdullah and constituted of the senior leaders of the National Conference was appointed on 5th March, 1948. Almost all the powers of the government of the State were entrusted to the Interim Government.[84]

Within a year after the formation of the Interim Government, Maharaja Hari Singh abdicated from his throne and the Dogra rule virtually reached its end.[85] In June, 1952, two years after the abdication of Maharaja Hari Singh, the Constituent Assembly of the State, which was convened in October, 1951, abolished the dynastic rule of the Dogra house.[86]

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